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S. HRG. 112–745

# NOMINATIONS BEFORE THE SENATE ARMED SERVICES COMMITTEE, SECOND SESSION, 112TH CONGRESS

## HEARINGS

BEFORE THE

## COMMITTEE ON ARMED SERVICES
## UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF

ADM SAMUEL J. LOCKLEAR III, USN; LTG THOMAS P. BOSTICK, USA; HON. FRANK KENDALL III; HON. JAMES N. MILLER, JR.; HON. ERIN C. CONATON; MRS. JESSICA L. WRIGHT; MRS. KATHARINA G. McFARLAND; MS. HEIDI SHYU; DR. KATHLEEN H. HICKS; MR. DEREK H. CHOLLET; GEN. MARK A. WELSH III, USAF; LT.GEN. JOHN F. KELLY, USMC; LTG FRANK J. GRASS, ARNG; AND GEN. JOSEPH F. DUNFORD, JR., USMC

FEBRUARY 9; MARCH 29; APRIL 26; JULY 19; NOVEMBER 15, 2012

Printed for the use of the Committee on Armed Services

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**THURSDAY, FEBRUARY 9, 2012**

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

The committee met, pursuant to notice, at 9:36 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Akaka, Webb, McCaskill, Begich, Shaheen, Blumenthal, McCain, Inhofe, Chambliss, Ayotte, Graham, and Vitter.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Thomas K. McConnell, professional staff member; Jason W. Maroney, counsel; and Russell L. Shaffer, counsel.

Minority staff members present: David M. Morriss, minority staff director; Adam J. Barker, professional staff member; Christian D. Brose, professional staff member; Lucian L. Niemeyer, professional staff member; Michael J. Sistak, research assistant; and Richard F. Walsh, minority counsel.

Staff assistants present: Hannah I. Lloyd, Mariah K. McNamara, and Bradley S. Watson.

Committee members' assistants present: Jeff Greene, assistant to Senator Lieberman; Nick Ikeda, assistant to Senator Akaka; Ann Premer, assistant to Senator Nelson; Gordon Peterson, assistant to Senator Webb; Maria Mahler-Haug, assistant to Senator McCaskill; Lindsay Kavanaugh, assistant to Senator Begich; Chad Kreikemeier, assistant to Senator Shaheen; Kathryn Parker, assistant to Senator Gillibrand; Ethan Saxon, assistant to Senator Blumenthal; Anthony Lazarski, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Clyde Taylor IV,

assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brad Bowman, assistant to Senator Ayotte; Sergio Sarkany, assistant to Senator Graham; and Joshua Hodges, assistant to Senator Vitter.

**OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good morning, everybody.

This morning the committee meets to consider military nominations for two critical and challenging command assignments.

We welcome Admiral Samuel Locklear, U.S. Navy, who is nominated to be Commander of the U.S. Pacific Command (PACOM), and Lieutenant General Tom Bostick, U.S. Army, nominated to be the Army's Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers. Thank you both for your many years of service to our Nation, for your willingness to continue to serve in these positions of great responsibility.

I would also like to welcome and thank your family members, some of whom are here this morning. The committee is keenly aware of the importance of our military families to the overall success and well-being of our Armed Forces, and we appreciate greatly their unwavering support and their many sacrifices, particularly during the course of long military careers. In this regard and as a tradition of this committee, I invite both of our witnesses during your opening remarks to introduce the family members or others who are here with you this morning.

One of the main components of the President's recently announced defense strategic guidance is to rebalance force structure and investments toward the Asia-Pacific. The nomination of Admiral Locklear to be the senior-most U.S. military commander in the Asia-Pacific region is most timely. Stability and security in the Asia-Pacific is indeed in the United States' national interest, and we must maintain and support a strategy that recognizes and protects that interest and works with allies and partners to address regional challenges. These regional challenges include some of the following:

The abrupt leadership change in North Korea, occasioned by the recent death of long-time dictator Kim Jong Il, opens new questions about possible future threats from a regime that has shown little interest in cooperating with the international community and little concern for the well-being of its people;

China's continued rise as a regional and global power, coupled with its pursuit of military technology and capability, and its increasing propensity for challenging the territorial and maritime claims of other countries, particularly in the South China Sea and the East China Sea, has had an unsettling effect in the region and increased the prospects for miscalculation; and

Other parts of the region continue to struggle with transnational violent extremism, insurgent groups, illegal narcotics, and humanitarian crises.

These challenges, and others, underscore the need for the United States to remain engaged and active in this vital region. But as we renew our commitment to the Asia-Pacific, we must also look for creative and new ways of thinking about U.S. military presence overseas, particularly in a constrained budget environment. For ex-

ample, realignment plans for U.S. forces in Korea, Okinawa, and Guam rely on the old paradigm of large, elaborate overseas bases to accommodate permanent force structure for long periods of time.

While these plans might have fulfilled some specific needs and purposes when originally designed, it now appears that regional strategic requirements may be better served by looking at these realignments in the context of the needs of the broader Asia-Pacific and by rebalancing the U.S. military presence throughout the region. Senators McCain, Webb, and I have advocated for changes to these plans in ways that support the strategic goals of U.S. military posture and presence throughout the region while avoiding excessive and unsustainable costs associated with large and elaborate new bases.

The current Okinawa-Guam realignment plan is unworkable, unrealistic, and unaffordable. Our alliance with Japan is important for many reasons, we need to get this right. The United States and Japan have recently announced that they are considering adjustments to the plan. It is important that there be adjustments and that there be changes that are jointly agreed upon and jointly announced and that a more viable and sustainable U.S. presence in Japan and on Guam results.

Admiral, we look forward to learning more about how you would approach these various challenges and how the U.S. military can best remain present and active in this important region during the upcoming period of budget constraints.

Before the committee today also is Lieutenant General Bostick, a career Army engineer, who has been nominated to be the Army's next Chief of Engineers and Commanding General of the Army Corps of Engineers.

Flooding in Louisiana caused by Hurricane Katrina and the relentless flood waters that poured over the banks of the Mississippi River last year vividly dramatize the importance of the U.S. Army Corps of Engineers, but these high-profile events are by no means the only challenges that confront the Army Corps. The Army's Chief of Engineers and Commanding General is responsible for both military and civilian programs and the associated planning, engineering, construction, and maintenance of a wide range of infrastructure requirements.

The responsibilities also include projects dealing with navigable waterways, flood control, environmental restoration, and disaster response. Under its broad national charter, the Army Corps deals with difficult and important issues in virtually every State in the union, including my home State of Michigan, which is inextricably tied to the vast navigable water systems of the Great Lakes. The Great Lakes shoreline is the Nation's largest. The system connects manufacturing facilities, agricultural markets of the Midwest with trading partners throughout the world and provides the most efficient means of transportation, which is vital to our economic competitiveness. Yet, our harbors need dredging. Some are threatened with closure to commercial shipping or require ships to lighten their loads in order to enter some of our Great Lakes ports.

The Army Corps of Engineers for far too long has paid inadequate attention to the Great Lakes. General, we are interested in hearing your views on the various challenges facing the Army

Corps and how you would, if confirmed, prioritize efforts to deal with those challenges. As co-chair with Senator Kirk of the Great Lakes Task Force, I would be particularly interested in your thoughts on the Great Lakes navigation system.

By the way, Senator Kirk is doing well. He had surgery yesterday, and we are all gratified to hear yesterday afternoon and this morning that he is in fact recovering very well.

It is against the backdrop of these various challenges, both foreign and domestic, that we again welcome both of you here today. We look forward to your testimony.

Senator McCain I know is coming but he is going to be late, and I think we will wait for his opening remarks when he gets here.

We are going to call on you, Admiral Locklear, for your opening statement.

**STATEMENT OF ADM SAMUEL J. LOCKLEAR III, USN, FOR REAPPOINTMENT TO THE GRADE OF ADMIRAL AND TO BE COMMANDER, U.S. PACIFIC COMMAND**

Admiral LOCKLEAR. Thank you, Mr. Chairman, honorable committee members. Good morning. Thank you for scheduling this hearing.

I would like to take this opportunity to thank President Obama and Secretary Panetta for this nomination. I am deeply honored and humbled, and I do appreciate their confidence that they have in my ability to lead the outstanding men and women of PACOM.

I would also like to thank this committee for your enduring support of our servicemembers and their families. They see it. They appreciate it as well.

Now, I would not be here today without the love and support of my family. My wife of 33 years Pam, my two daughters, Jenny and Jillian, are here with me this morning. It gives me great pride and pleasure to introduce them to you. Now, these special women—they embody the strength and the courage of our military community, and they have been my inspiration to serve with honor and integrity for almost 4 decades. Jenny and Jill, my daughters, have blessed Pam and me with three grandsons who are well on their way to becoming fine citizens of our great Nation and we hope one day they will carry on our family's tradition of service and leadership.

If confirmed, I look very much forward to working with the committee to solve our Nation's security challenges in the Asia-Pacific region.

Again, thank you for this opportunity and for your support of our uniformed servicemembers and their families.

Mr. Chairman, I am prepared to take your questions.

Chairman LEVIN. Thank you, Admiral, very much.

General Bostick.

**STATEMENT OF LTG THOMAS P. BOSTICK, USA, FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL AND TO BE CHIEF OF ENGINEERS/COMMANDING GENERAL, U.S. ARMY CORPS OF ENGINEERS**

General BOSTICK. Chairman Levin, Senator McCain, distinguished members of the Senate Armed Services Committee, I am

honored to appear before you today in support of my nomination as the Chief of Engineers and Commanding General, U.S. Army Corps of Engineers. I thank President Obama, Secretary Panetta, Secretary McHugh, and General Odierno for the opportunity to continue serving this great Nation.

It has been my privilege to serve our country in uniform for over 33 years. My wife Renee, who is here today, is a principal of Randolph Elementary School in Arlington Public Schools. Renee and I have been married for over 30 years, and she has managed to support our Army, our communities, her many different schools, 26 in total, and our family. Our son Joshua, who has moved with us 14 of our 19 moves, is a student at Stanford University and could not be here today.

We often say that we enlist the soldier, commission an officer, but we retain a family. I am here today still serving because of Renee and Joshua, my extended family, friends, and our great soldiers and civilians. I deeply appreciate their love and support. My father was an Army master sergeant, and Renee's father was a Marine Corps sergeant major. We have been in the military our entire lives, and we are very proud and honored to continue serving.

If confirmed, I look forward to working with Congress, the administration, the Department of Defense (DOD), as well as other national, State, local government, and nongovernmental organizations to continue executing the Corps' important mission of providing vital engineering services in peace and war to strengthen our Nation's security, energize our economy, and reduce the risk of disasters. The significant role of the Corps of Engineers was highlighted again during last year's flooding throughout the Nation, the enormous work related to base realignment and closure (BRAC) and the global repositioning of our Armed Forces, and during the operational support in Iraq, Afghanistan, and locations around the world.

If confirmed, I will ensure the Corps works closely with national, State, and local leaders to address the many challenges ahead. I will focus on maintaining trust in the Corps of Engineers through consistent and clear communications with all stakeholders to achieve a common vision, and will continue developing the professional teams that must collaborate within and outside the Corps.

The U.S. Army Corps of Engineers is a key member of the Nation's team that must collectively address complex engineering and changing defense requirements with the precious resources provided by Congress and the American people.

I embrace the challenges ahead and, if confirmed, look forward to leading the Corps of Engineers.

I look forward to your questions.

Chairman LEVIN. We thank you very much, General. Again, we are delighted that your and the Admiral's family are with us here today, except those who could not be with us. We are very much honored to have them here just as you are honored to have their presence and how much their support has meant to you throughout your careers.

Senator McCain.

**STATEMENT OF SENATOR JOHN McCAIN**

Senator MCCAIN. Thank you, Mr. Chairman. Thank you for your courtesy. I was testifying at another committee meeting.

Let me join you in welcoming Admiral Locklear and General Bostick and congratulating them on their nominations and in thanking them for their many years of distinguished service to our Nation.

Before this week, the last time I saw Admiral Locklear was in Naples, Italy where he helped to lead the North Atlantic Treaty Organization (NATO) mission in Libya. Despite the restrictions placed on him and despite lacking the ability to employ the full weight of U.S. air power to defend the Libyan people, I must say that Admiral Locklear excelled in managing that complex coalition operation which ultimately succeeded in helping the Libyan people to liberate their country. We owe him our thanks for that achievement.

If confirmed to be Commander of PACOM, Admiral Locklear, you will oversee the rebalancing of our defense strategy toward the Asia-Pacific region. This is the right mission, though talk of it as a pivot is misguided. For 7 decades, the United States has maintained a balance of power in the Asia-Pacific region that fosters political and economic liberty. We will continue to do so and that requires the sustainment of U.S. military power to secure our vital interests, from the defense of our treaty allies, to freedom of navigation through international waters, to the preservation of a regional order that enables sovereign countries to resolve their differences peacefully free from intimidation and coercion.

To maintain this commitment, we need a more effective and sustainable military posture in the region. Our current plans to realign bases in Japan, Guam, and Korea are all grossly over budget, and Congress will not pay that bill. This committee led Congress in putting a pause on the entire enterprise and included a provision in the recently enacted National Defense Authorization Act (NDAA) that requires an independent assessment and alternative recommendations on how to proceed.

I want to point out that the administration is free to move forward with a revised force posture, but this committee and the Pentagon must wait for the findings of our congressionally mandated independent assessment before authorizing funding for any regional posture arrangements. It is essential that the U.S. military maintain its active and stabilizing presence in the Asia-Pacific region, but we need to get these important decisions right. Frankly, the Pentagon does not have a good record on this issue as the costs have escalated from around $6 billion to at least $16 billion.

At the same time, for our prioritization of the Asia-Pacific region to be meaningful, we must avoid catastrophic cuts to our defense budget, especially sequestration. It should, therefore, be of concern to us all that the Navy remains short of its goal of 313 ships. That goal will be impeded further by the administration's recently announced plan to retire seven cruisers earlier than planned, to retire two major amphibious lift ships needed by the Marine Corps, and to delay buying one large-deck amphibious ship, one *Virginia*-class attack submarine, two littoral combat ships, and eight high-speed transport vessels. It is well and good to maintain 11 aircraft car-

riers, but cuts to our naval capabilities such as these, without a plan to compensate for them, only put our goals in the Asia-Pacific region at greater risk.

General Bostick comes before this committee with a long record of distinguished service, 33 years, and carries forward his family's proud legacy of military service to our country. General Bostick, if confirmed, you will be responsible for the performance of 38,000 civilians and soldiers who provide engineering services to more than 90 countries worldwide. We look to the Corps of Engineers to provide vital engineering services in peace and war, to strengthen our security, energize our economy, and reduce the risks from disasters. In other words, this is a critical post.

At a time when our Government faces daunting fiscal challenges, we will have to make tough decisions about investments in our critical infrastructure. In a prior Congress, then-Senator Russ Feingold and I repeatedly attempted to put in place a procedure for the Army Corps to provide to Congress clear, objective analysis of national priorities for our water infrastructure projects. Unfortunately, many Members of Congress would rather maintain the current system of selecting projects based on seniority and the individual Member's influence over the committee process. I believe this earmarking of Army Corps projects puts lives at risk. We must be informed by the capable expertise and objective analysis of the Corps of Engineers, and we will continue to work to ensure these priorities are provided to Congress in order to ensure that taxpayer funds are spent wisely, efficiently, and effectively.

I thank and congratulate both of our witnesses.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Let us try a 7-minute round for questions. We have a lot of Senators here, and we can have a second round.

Admiral, yesterday's announcement describing negotiations between the United States and Japan is welcome news because it demonstrates a willingness to address issues about the level of our troop presence on Okinawa without conditioning the movement of marines off of Okinawa to progress on the Futenma replacement facility. However, the new thinking is not yet going far enough. For instance, there appears to be no intention of reconsidering yet the plan to build the Futenma replacement facility at Camp Schwab on Okinawa, nor does there appear that the Air Force bases in the region are being considered as part of the solution.

We want to make it clear that the requirements in the statute that are contained in the fiscal year 2012 defense authorization bill must still be met before any funds, including funds provided by the Government of Japan, may be obligated or expended to implement realignment.

Some of the requirements are the following: submission by the Commandant of the Marine Corps, in consultation with the PACOM Commander of his preferred force laydown; a master plan for the construction of the facilities and infrastructure necessary to implement the Commandant's preferred force laydown; a plan coordinated by all pertinent Federal agencies detailing how the Federal Government will satisfy the off-post requirements associated with the buildup on Guam; and the Secretary of Defense submits

an independent assessment of the U.S. force posture in East Asia and the Pacific region as detailed in our NDAA.

Admiral, first, are you familiar with these requirements, and if so, will you make sure that those requirements are met before there is any obligation of funds for those purposes?

Admiral LOCKLEAR. Mr. Chairman, I have reviewed the concerns of the committee, the various communications that have been presented to the leadership of DOD. I am aware of the release of the communique that discusses the ongoing discussions between the Government of Japan and the potential that may come out of those.

I am prepared to support the leadership of DOD, if I am confirmed, to give them my best military advice as they go forward with this process.

Chairman LEVIN. All right. To the extent that you are not yet familiar with our statute's requirements, including for that independent assessment before funds are obligated or expended to implement the realignment which we discussed, will you do so and will you abide by them?

Admiral LOCKLEAR. I will abide by them.

Chairman LEVIN. Thank you.

As I alluded to in my opening remarks, much of the interest in China's continued rise as a global power involves its pursuit of military technology and capability and what that means in terms of regional stability.

Admiral, give us your assessment, if you would, of the situation in the South China Sea, particularly with respect to the competing maritime and territorial claims of the countries bordering that area?

Admiral LOCKLEAR. Mr. Chairman, as I understand it, there are competing claims in the South China Sea between many competing interests in that area, in particular between the Chinese and a number of our allies and our partners in that region. My impression is that we need to ensure that we move forward with a security environment that allows those determinations to be realized through proper rule of law, proper international law, and that they do that in a multilateral fashion following the norms of international law based on the territorial land masses that then relate into maritime claims.

Chairman LEVIN. Thank you, Admiral.

Can you tell us whether you support the United States joining the United Nations (U.N.) Treaty on the Law of the Sea?

Admiral LOCKLEAR. Mr. Chairman, I do support the United States joining the U.N. Convention on the Law of the Sea.

Chairman LEVIN. Why is that?

Admiral LOCKLEAR. It has been my observation as a naval officer for many years that as this subject has been debated that having this tool, us being a member of this important United Nations initiative, will provide a better framework globally for us as there are competing interests globally particularly as economic zones are discussed, as we start looking at resources that are on the sea bed. It allows us a better mechanism to be able to have a legal discussion that prevents us from having miscalculated events. It overall provides us a framework for better future security.

Chairman LEVIN. Thank you.

General, let me ask you now about some of the Corps of Engineers' expenditures and how they are determined.

One of the issues which strikes me as a Great Lakes Senator is that the maintenance of our Great Lakes navigational system is funded entirely through the Harbor Maintenance Trust Fund, which is financed through fees which are charged on the value of shipments that arrive at these federally maintained ports. In contrast, only a portion of other waterway systems are maintained through user fees and other systems get general fund contributions.

Will you, first of all, explain to us why it is that we have fees supporting our harbors in the Great Lakes but other activities are supplemented by general funds for other harbors and other waterway systems? Why is that the case, if you know?

General BOSTICK. Mr. Chairman, I do not have the history on why the funds were set up in that fashion. I do know that the Harbor Maintenance Trust Fund contains about $6 billion and collects about $1.5 billion each year, and the Corps of Engineers plans about $750 million of construction and maintenance using those funds annually.

We have a lot of work to do, and if confirmed, I am committed to working with the Corps, Congress, and the administration to ensure we do the best with the monies that we are provided.

Chairman LEVIN. Just to follow up on that question, we feel that we have been short-changed in the Great Lakes for a long time even though we have the longest shoreline of any of the areas of our country. Will you review, when you are confirmed, the benefits of various navigational systems, including the Great Lakes, compared to the budget which is allocated to those systems and tell us whether or not in your judgment, after you are confirmed, there is a fair relationship between the benefits that are received by those various systems or allocated to those various systems and how those benefits compare to the financial expenditures which the Corps makes? Will you make that assessment after you are confirmed?

General BOSTICK. Mr. Chairman, you have my commitment that I will make that assessment. I will visit the Great Lakes and I will make sure that I understand how the performance-based budgeting priorities are set by the Corps and how that takes into consideration both the large systems such as the Mississippi and the smaller systems. In the Great Lakes, it is not a complete system in terms of how it is considered. I will take a look at that, if confirmed.

Chairman LEVIN. We thank you very much, General.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Again, I thank the witnesses.

Admiral, the plans the administration has announced to retire seven cruisers earlier than planned, retire two major amphibious lift ships, delay buying one large-deck amphibious ship, one *Virginia*-class attack submarine, two littoral combat ships, and eight high-speed transport vessels—does this increase our risks in the Asia-Pacific region?

Admiral LOCKLEAR. Senator, I would say that any number of ships less than what we state is the requirement does require combatant commanders and, if confirmed, will require me to manage those risks. It is always difficult, particularly from a Navy perspective, for us to see those type of decisions that have been made and will ultimately be made in budget decisions. But we will have to manage with the resources that the American people give us, that you authorize us. If I am confirmed, I will have to be frank with you about the decisions that are made because of the resources available and the risk that requires me to assume.

Senator MCCAIN. We will look forward to that because I understand flexibility and I understand a lot of the arguments the administration is making, but as you well know, presence is something that can only be achieved by numbers. The goal of 313 ships is obviously not going to be met.

I just want to repeat what the chairman said. We have looked at this issue of Okinawa and Guam and the basing issue. Senator Webb has been heavily involved in it. We did come to the conclusion that we needed an outside look at it, and we did not come to that conclusion just because it was an idea we had. We came to that conclusion because we have seen the costs go up from $6 billion to $16 billion or more, and there was not a coherent plan. We continue to get visits from Japanese members of the Diet saying, "what are we going to do?" We really believed that an outside look was important. It will not take a long period of time. But I would like for you to participate in helping conduct that study and provide the assessment team that they need. Can I have that commitment from you, Admiral?

Admiral LOCKLEAR. You have my commitment, sir.

Senator MCCAIN. Thank you.

General, the omnibus appropriations bill for fiscal year 2012 included a slush fund totaling $507 million for the Corps to spend on various construction, maintenance, and other projects that were not included in the President's budget. The funds were financed by reducing money for projects included in the President's budget request and adding $375 million to the Army Corps of Engineers' budget. The funds added by the appropriators were not a part of the text of the omnibus bill but were listed in a joint report that accompanies the spending bill, which is the new way for Congress to circumvent the earmark moratorium. As such, they should not have the force of law.

Despite a crushing budget deficit and significant reductions to Government spending, including over $20 billion less for DOD, the appropriators actually added more to the Corps budget than the administration had requested.

I note in your written answers to questions posed by the committee that you recognize in a constrained Federal budget that, "with an aging population, therefore more entitlement spending, we can expect less to be available for discretionary programs. The Corps will have to prioritize projects and programs with rigorous analysis to ensure the greatest value for taxpayer funds."

If confirmed, will you spend these excess funds that were not requested by the President, General?

General BOSTICK. Senator, the Corps executes projects that are authorized and appropriated by Congress. We do not make a decision in terms of whether we expend those funds or not, but if authorized and appropriated by Congress, then we will execute the mission to the greatest degree possible.

Senator MCCAIN. So you believe that the joint report that accompanies a spending bill has the force of law?

General BOSTICK. Sir, I have not been privy to the joint report. If confirmed, I am willing to go back and take a look at that in detail. What I can say is we would execute what is authorized and appropriated by Congress.

Senator MCCAIN. General, I am going to need your assessment on that before I move that the committee move forward with your nomination. I think it is outrageous that the appropriators should put into a "joint report" earmarked projects that are not authorized or requested. I am going to have to know your view as to whether you are required to spend those funds or not. I hope that you will provide us an answer to that question as soon as possible. Okay?

General BOSTICK. Senator, I will.

[The information referred to follows:]

Please see the attached documents.

**DEPARTMENT OF THE ARMY**
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-1
300 ARMY PENTAGON
WASHINGTON DC 20310-0300
FEB 2 9 2012

The Honorable John McCain
Ranking Member
Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Senator McCain:

This letter is a follow-up to the February 9, 2012 hearing before the Senate Armed Services Committee, considering my nomination for Chief of Engineers and Commanding General, U.S. Army Corps of Engineers. During the hearing you posed two questions regarding the additional funds Congress appropriated in law to the U.S. Army Corps of Engineers which are in excess of the President's Fiscal Year 2012 budget. In order to fully respond to your questions, several pertinent principles of Federal appropriations law must be discussed. Consequently, the views expressed in the enclosed document do not represent a personal opinion but rather the legal opinion of the Office of the Chief Counsel, U.S. Army Corps of Engineers, and the Office of the General Counsel, Department of the Army.

If confirmed as Chief of Engineers, you have my full commitment that the U.S. Army Corps of Engineers will wisely and efficiently spend the funds which have been appropriated in law by Congress.

Sincerely,

Thomas P. Bostick
Lieutenant General, U.S. Army
Deputy Chief of Staff, G-1

Enclosure

CF:
√SEN Carl Levin, Chairman, Senate Armed Services Committee

## Questions Raised

(1) Is the U.S. Army Corps of Engineers required to spend the additional funds that were not requested in the President's budget?

(2) Does the Joint Report that accompanies the spending bill have the force of law?

## Brief Answers

(1) Yes, the U.S. Army Corps of Engineers is required, as a matter of law, to spend the funds appropriated by Congress for the *authorized* civil functions of the Department of Army as contained in the Fiscal Year (FY) 2012 Omnibus Appropriations Act. The funds made available to the Corps in the FY 2012 Omnibus Appropriations Act were provided in the text of the Act *("The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.")*. The Budget Impoundment Act of 1974 requires the Executive Branch to either obligate the amounts appropriated by Congress or to follow the statutory rescission procedures set forth in that law, if it is desired to not expend all the funds that were appropriated by Congress.

(2) No, the Joint Report provides evidence of the Appropriations Committees' intentions regarding the objects of spending, but the Joint Report itself is not law and does not have the force of law. In deviating from the Joint Report, however, the U.S. Army Corps of Engineers must comply with the reprogramming provisions contained in Section 101 of the Energy and Water Appropriations Act, 2012.

## Background Discussion

*Energy and Water Development Appropriations Act, 2012*

The Omnibus Appropriations Act appropriated funds to the various Corps Civil Works project accounts as follows:

- Investigations: "For expenses necessary where authorized by law . . . $125,000,000, to remain available until expended."

- Construction: "For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law . . . $1,694,000,000, to remain available until expended . . . ."

- Mississippi River and Tributaries: "For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $252,000,000, to remain available until expended . . . .

- Operation and Maintenance: "For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law . . . $2,412,000,000, to remain available until expended . . . ."

(FY 2012 Omnibus Appropriations Act, Pub. L. 112-74, 125 Stat.786, 852-862 (Dec. 23, 2011)).

*Joint Explanatory Statement of the Committee of Conference*

There may be a misconception that funds were provided to the U.S. Army Corps of Engineers for activities related to new projects identified solely in the Joint Report. All of the funds that were appropriated to the Corps in the Omnibus Appropriations Act were for programs, projects, and activities that were previously authorized by law. In fact, there were no specific projects identified in the Joint Report that were not originally listed in the 2012 President's Budget. Instead, the Joint Report identified different amounts of funding for many projects and included additional funding in general categories of activities to continue authorized, ongoing work. All of the funds provided for Corps of Engineers Civil Works projects in the Act were appropriated in law, and as indicated by the statutory language above, only for authorized purposes. Following enactment of the Act, those funds subsequently were allocated to specific programs, projects and activities by the Corps of Engineers, in accordance with applicable Executive Branch policies and the general guidance set forth in the Joint Report.

*Statutory Rescission*

The Executive Branch – along with the President – is responsible for seeing that the laws are faithfully executed. As a legal matter, the Budget and Impoundment Control Act of 1974 (Public Law 93-344, 88 Stat. 297, 2 U.S.C. §§ 601-688 (July 12, 1974)), as amended, requires the Executive Branch either to obligate the amounts appropriated by Congress or to follow the statutory rescission procedures set forth in the law, regardless of whether the amount of the enacted appropriations exceeds, is the same as, or is less than the amount of funds originally requested by the President. 2 U.S.C. § 683.

If either Congress believes and informally requests, or the Chief of Engineers believes, that all or any part of enacted "budget authority will not be required to carry out the full objectives or scope of programs for which it is provided or that such budget authority should be rescinded for fiscal policy or other reasons," the Secretary of the Army, in coordination with the Office of Management and Budget, would be required to consult with the President. 2 U.S.C. § 683.

If a decision is made that all or a part of the funds are not needed, the President is required to submit a special message to Congress proposing a rescission of the funds. If a rescission is proposed by the President, both houses of Congress must enact such rescission within a 45 day period as prescribed in the law. If the proposed rescission is not enacted by both houses of Congress within this timeframe, the President must make the funds proposed for rescission available for obligation. Any funds proposed for rescission may not be proposed for rescission again.

Summary

The Chief of Engineers is required by law to spend all of the funds Congress has provided by statute, unless the Administration goes through the rescission procedures set forth in the Budget and Impoundment Control Act. The Chief of Engineers is also required by law to spend those funds for the purposes for which they have been provided. 31 U.S.C. 1301(a) provides: "appropriations shall be applied only to the objects for which the appropriations were made, except as otherwise provided by law." The appropriations provided to the Corps were lump sum appropriations made available to specific accounts for certain specified general authorized purposes. The Joint Report provides evidence of the Appropriations Committees' intentions regarding certain specific objects of spending within those general accounts, but it is not law and does not have the force of law. Accordingly, agencies generally have the inherent authority and flexibility to shift funds appropriated as lump sum appropriations from one object identified to another object identified in the Joint Report within each general account. See Principles of Federal Appropriations Law, Second Edition, Volume I, United States General Accounting Office, Office of the General Counsel, page 225. However, the Corps' ability to reprogram civil works appropriations is statutorily constrained by Section 101, FY 2012 Omnibus Appropriations Act, Pub. L. 112-74, 125 Stat.786, 852-862 (Dec. 23, 2011).

Senator MCCAIN. Admiral, how concerned are you about the fact that we may have a serious North Korean provocation or miscalculation this year?

Admiral LOCKLEAR. Senator, I am very much concerned about the stability of the situation on the Korean Peninsula. It is in our best interests to ensure that we maintain a strong deterrent there. I have not had discussions with General Thurman yet, but if confirmed, I will, to get his immediate assessment.

But we have had a transition of leadership there. Day by day, so far, so good. It is yet to be determined how this will play out in the mid- to long-term.

There has been a shift over the last couple of decades in my observation of the North Koreans' ability in the military area. We have seen them through some provocation activity over the last several years using more asymmetric tactics such as small submarines, and certainly their proliferation of delivery vehicles for short-, medium-, and eventually longer-range ballistic missiles is a great concern.

I am very much concerned and we should certainly stay vigilant, and if confirmed, I will assure you it will be one of my highest priorities.

Senator MCCAIN. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. General, relative to the question which Senator McCain has very properly asked you about whether you are required to spend certain funds, you may submit a legal opinion on that question, if you so desire. I just talked to Senator McCain as to whether that would be satisfactory and he indicated it would be. If that is a legal question, you may submit a legal opinion rather than your own personal opinion. We do need an answer to that question. Thank you.

General BOSTICK. Mr. Chairman, I will do that.

Chairman LEVIN. Thank you.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Admiral Locklear, General Bostick, thanks very much for your extraordinary service to our country. I think the President has acted wisely in nominating both of you and I look forward to supporting your nominations.

Admiral Locklear, we are naturally focused, as we have been for quite a while, on the alignment of forces in Okinawa. But I want to state my own opinion and ask you for your reaction. Regardless of what developments occur regarding the alignment of our forces, it is essential that all parties in the region and particularly the people of Japan know that America's commitment to their security is strong and unbreakable. Do you agree with that?

Admiral LOCKLEAR. Absolutely, sir. Our alliance with Japan is the cornerstone of our strategy in the Pacific, of our friendships, of our future in the Pacific, and if I am confirmed, it will remain a priority and remain the cornerstone.

Senator LIEBERMAN. Thank you for that answer. I agree with you. This is another classic case of how you sometimes run the risk of taking your best friends for granted when things are happening elsewhere or you are making new friends. But in fact, over the last decade, the United States and Japan have reached a number of very significant agreements to develop our bilateral security relationship and to share missions and capabilities within the alliance, including areas such as air and missile defense.

I wonder if you would take just a moment to give your opinion on the importance of those agreements as you assume command of PACOM?

Admiral LOCKLEAR. Yes, sir. Those agreements are very important. I am quite proud of the relationship we have with Japan particularly in relation to the exposure I have had to the area of ballistic missile defense developments and their participation, their partnership that will allow us to more rapidly move into the future with capabilities that are critical not only to this region but globally.

Senator LIEBERMAN. Let me move briefly to the South China Sea, which you have already been asked about and also the U.N. Convention on the Law of the Sea. I wanted specifically to ask you, because you have said you support ratification of the convention, to relate the convention to the competing claims that are now being made for various rights on and under the South China Sea.

Admiral LOCKLEAR. Yes, sir. In general, my understanding is that we as a Nation, we as a military, we conform to the basic premises that are inside the Law of the Sea today. However, because we have not ratified it, when we approach a region such as the South China Sea, which has the potential for miscalculation, if the responsible parties here do not go through the normal rule of law to solve these kind of frictions, that if we are not a signatory, to some degree it lessens our credibility as we try to help them work through this. This is not only in the South China Sea but I think it will become increasingly important globally as people look for resources and competing claims in oceans around the world.

Senator LIEBERMAN. Okay. I appreciate that answer.

I want to talk for a moment about the so-called "pivot" to the Asia-Pacific, which is a term I do not like because it suggests we have not been in the Asia-Pacific and we are going to turn our back

presumably on the Middle East where we have been. We cannot turn our back on either. Of course, we have been in the Asia-Pacific since the end of the World War II, and the security that we have provided has, in my opinion, been the foundation or the underpinning of the extraordinary economic growth that has occurred there and, in some sense, the development of nations that we now focus on as we think about the security relationship or arrangements there.

This gets specifically to China. I wanted to invite you to talk about your opinion about what is the current status of our relationship with China and where do you hope to bring it in your time at PACOM? In other words, is China a hostile power to us? Is it a competitor? Is it a partner? What is it and what do you hope it will be?

Admiral LOCKLEAR. Yes, Senator. First, I fully agree that since World War II, our security posture in that part of the world has underpinned much of the progress that has been made not only in the military area but in all areas of progress with our allies, our partners, and in some ways, China.

Today I would say that our partnership with China, which we should have a partnership—and we do in many, many areas, not just militarily—I would categorize as cooperative but competitive. We are an Asian power. We are a Pacific power. We are a global power. We have interest in that part of the world. I believe that the Chinese and other people in that part of the world need to recognize that we do have U.S. national interests there and we have the interests of strong allies there. I would call it cooperative but competitive.

In the area of military-to-military, which I think is important that we continue to pursue productive military-to-military relationships between our military and the Chinese military. That is so we can gain greater clarity and greater transparency as the world evolves, as the region evolves. If I am confirmed, it will be my plan to, in every way possible, improve our military-to-military relationships with a recognition that there are things we will not agree on. That greater transparency is for the good of all of us to avoid miscalculation. But in the end, the objective is a secure, stable environment that allows our allies, our partners, and China, which should be a partner, to have the best security environment to allow us to grow economically, socially together into a better world.

Senator LIEBERMAN. Thanks again for that answer.

Incidentally, when I talk about the American security presence in the Asia-Pacific region underpinning the economic growth that has occurred there in the last several decades, it is important to state also that we have benefitted tremendously from that economic growth. Do not hold me to it, but I believe I saw a number just recently that said that $1.2 trillion of American commerce travels through the South China Sea every year. So you get some sense of the benefit here and the extraordinary impact it has on our economy and on jobs here as well.

My time is up. I thank you very much, and I look forward to working with both of you in the time ahead.

Chairman LEVIN. Thank you very much, Senator Lieberman.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

First of all, let me thank both of you for the personal time you gave me, and we had a chance to go over almost everything that I would ask you today except for one thing, which I will get to in just a moment.

General Bostick, the Army Corps has done a pretty good job on the 404 permits under the Clean Water Act. I would ask you if you would continue to try to expedite those permits as well as you can.

General BOSTICK. Senator, if confirmed, I will certainly look at the permits that are associated with the Clean Water Act and ensure that the Corps works as effectively and efficiently as possible.

Senator INHOFE. That is good.

Also, Senator Levin talked about the Great Lakes and we have talked about all these waterways. Will you not forget the Nation's most inland waterway that goes into Oklahoma, the Kerr-McClellan waterway?

General BOSTICK. Senator, as we have discussed, once confirmed, I will make a trip out there and make sure that I understand the issues surrounding that particular project.

Senator INHOFE. I would appreciate that. I am not asking for that commitment, but I would like to have you become familiar with that.

Right now we are considering the reauthorization of the highway bill. It comes from part of that. At least the highway title comes in my committee where I am the ranking member [Senate Committee on Environment and Public Works]. But we also have jurisdiction over the Water Resources Development Act (WRDA). Do you have any idea when we might get something from the administration on a WRDA bill?

General BOSTICK. Senator, I do not have any knowledge of when a WRDA bill might come out.

Senator INHOFE. We can talk about that later.

Now, Admiral Locklear, I enjoyed very much meeting your beautiful wife and 2 beautiful daughters, and if you guys are going to reach my number of 20 grandchildren, you are going to have to get very busy, as we discussed.

First of all, I understand the way this goes. You were nominated by the President. You are going to have to assume the President, who is the Commander in Chief—his line. This always happens. It has happened ever since I have been on here. I do not know where you really are personally and I do not want to know. I do not want you to answer.

But as far as the Law of the Sea Treaty is concerned, there are a lot of us against it. I have been fighting that since the Reagan administration. It has not really changed any. To have the United Nations pay an international body, which sometimes they deny it, but it is the United Nations, gets royalties from offshore drilling, a body that we would have 1 vote out of 160 and distribute funds as it sees fit to the Nations it chooses. I often wonder whatever happened to sovereignty. I can tell you right now the idea of handing over our offshore technology to other countries, any country who wants it, I think is unreasonable. There is going to be opposition to that.

Now, having said that, let me get to a friendlier issue here.

I remember so well back in 1998—that was during the Clinton administration—when they were talking about the capability, at that time, of North Korea in terms of when they would have something that would be a threat to the United States. I remember at that time General Shelton was in charge, and I wrote a letter to President Clinton and to General Shelton. How long would it be until the North Koreans have the capability of a multiple stage rocket that they would be able to use against the United States? The answer at that time was—we had two letters. One said 3 years; the other said 5 years. Seven days later on August 31, 1998, they fired one. It was a three-stage rocket. Only two of them worked, but nonetheless, that happened.

I could take a long time and talk about how we have guessed it wrong with them over a long period of time.

How confident are you in the intelligence that we are getting right now, considering that all of a sudden there is a wake-up call and the American people realize there is a threat out there? How confident are you with our intel into North Korea in terms of their capabilities?

Admiral LOCKLEAR. Senator, again, I will consult, if I am confirmed, with General Thurman about this important issue. I believe I understand that he has and his predecessors have said for some time that there is a need for more intelligence and surveillance assets to be able to understand and to shape what may be the future on that critical part of the Asia-Pacific.

As far as the Intelligence Community, my sense is that we have a better understanding than we probably did in 1998 of their emerging capabilities. But it is a very closed society and it is one that we need to work very carefully with, and I will do that, if I am confirmed, with all of the intelligence agencies that can bring capabilities to bear to help me understand so that I can help you understand where the shortfalls are.

Senator INHOFE. Okay. Let us stay on top of that one.

In the last minute and a half of my time here, I would like to renew, as I always do at these confirmation hearings, my four favorite programs, and we would like to get your opinion. Actually five. That would be the 1206, 1207, 1208 programs, train and equip, the State Partnership Program (SPP). More important than the rest of them or as important is the International Military Education and Training (IMET) program. Would you comment on each of those five programs relative to your support for those programs?

Admiral LOCKLEAR. Yes, sir. The ones that were related, 1206, 1207, 1208, and IMET, I fully support. I know that from my introduction thus far into what is happening in PACOM today, 1206 is a critical aspect of our ability to help train and prepare our allies and partners for the counterterrorism operations which are critical to not only their security, but our security.

I can tell you that from the job I am in now in Europe and Africa where I spend a lot of time visiting our U.S. ambassadors, the IMET program is essential from their perspective. It has been over my experience one of the most powerful tools where it allows us to bring officers and other leaders from these other countries into our training systems and to socialize with them and to bring them into our value system and have them understand how we operate. Crit-

ical to the future and I believe, for the amount of money, a great return on investment.

Senator INHOFE. Yes, I do too. In your current position where you have the naval operations over U.S. Africa Command, certainly those countries down there—I am glad we are beyond the point where we thought we were doing a favor to these countries out there who are participating in this program. In fact, they are doing us a favor because I think we need to get into the record and understand—and I am sure you agree—that if we do not develop those relationships that are enduring through the IMET program, China will do it. Other countries will do it. I think it has been very successful not just in Africa. I am the ranking member on the East Asian and Pacific Affairs Subcommittee of the Committee on Foreign Relations. I am concerned about continuing that program in your new assignment.

I look forward to supporting both of your nominations.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Akaka.

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

Aloha to the two outstanding leaders we have before us today and also to your families.

First, I would like to thank you each for your many years of dedicated service to our country and what you have done already with our country.

Admiral Locklear, it was nice meeting with you earlier this week, and I appreciated hearing your thoughts on the tremendous responsibilities you will assume, should you be confirmed as the next PACOM commander. You have shown outstanding leadership throughout your career, including significant time in the Pacific theater. I would like to congratulate you, your wife, and your family because your family does support you, and welcome also Pam and Jenny and Jillian to our hearing today.

I also want to welcome General Bostick. As a former member of the Corps, I appreciate the efforts of the men and women who serve in this very important organization. Of course, I want to welcome your wife Renee and aloha to your son Joshua as well.

Admiral Locklear, piracy is one of the problems out there. With the President's new strategy, the Navy will be deploying four ships to Singapore, I understand. The Strait of Malacca is one of the world's most important shipping lanes, accounting for a third of the world's trade and half of the petroleum imports of Japan, Taiwan, Korea, and China. The strait is also one of the world's most dangerous maritime chokepoints and a hot spot for transnational crime.

My question to you, Admiral, is how do you see our forces working to secure this critical region?

Admiral LOCKLEAR. Thank you, Senator. I have transited the Straits of Malacca on Navy ships many times in my career, and your assessment is exactly right. It can be an exciting transit. It is a critical chokepoint and it can be highly vulnerable to such things as piracy.

We have seen, obviously, over the past number of years the impact that piracy can have in many areas of the world and that it

is not just located off the Horn of Africa. It is actually spreading north and have seen it spread north into the Indian Ocean. We have seen some instances of it in the South China Sea.

If you take a look at the rebalancing strategy, I believe that it starts to help us address this in a better way. First of all, it starts to recognize that we do have security interests that are not just in the north of Asia and that we have to be aware of. It allows us to partner with our allies and our partners in that region to be able to better coordinate together to give us better maritime domain awareness.

You alluded to the possibility of putting some U.S. ships in and out of Changi in Singapore. Singapore is a tremendous partner with the United States and has worked very closely with us—as has other of our countries and allies in that region to be able to provide us collectively the ability to have a better maritime lane awareness and a better response capability for anti-piracy activities. I hope to see that continue and to grow as we move forward with a rebalancing strategy.

Senator AKAKA. Thank you very much, Admiral.

General Bostick, there is a critical need in Hawaii and the U.S. Pacific territories for public infrastructure to support the waterborne commerce these islands rely upon to protect vulnerable coastal communities and to preserve unique environmental resources. Therefore, I am concerned by the Honolulu district's challenges in competing for Army Corps construction funds. Under current Army Corps policy, projects are favored that support large population bases and are not subject to the high construction costs.

If confirmed, would you be willing to look into this issue and possibly identify a more equitable policy which addresses the needs of these insular areas?

General BOSTICK. Senator, if confirmed, you have my commitment to look at that. As I understand the Corps' process in setting priorities, it is performance-based, and performance is based on a number of things. They have nine different business lines, including navigation, coastal restoration, risk management, and other areas. I will look into that with the Corps. I will discuss it with the Honolulu district and ensure that all that we do is fair and equitable and done in a cost efficient and effective manner.

Senator AKAKA. Thank you.

Admiral Locklear, the U.S. relationships with Japan and South Korea help to form the basis for regional stability in the Asia-Pacific region. I know that you have touched on it in response to Senator Lieberman, but should you be confirmed, what would you like to accomplish with respect to these key allies?

Admiral LOCKLEAR. First of all, if I am confirmed, I would like for them to understand that I realize the importance of our alliance and the criticality of our partnerships in that alliance and the importance of it to the security of the Asia-Pacific region.

Second of all, I would like to make sure that as we look at this rebalancing strategy that I can properly articulate what we are doing, how we are doing it, and the benefits of it as it relates to our alliances with those two critical allies.

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

Chairman LEVIN. Thank you, Senator Akaka.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

Thank you, Admiral, thank you, General, for your service and all that you do for us.

Admiral Locklear, I wanted to ask what is your assessment of the *Virginia*-class submarine program, how has this *Virginia*-class submarine performed, and also what sort of capability will the littoral combat ship provide you as PACOM Commander, and how important are both capabilities to our national security interests in the Asia-Pacific and around the world?

Admiral LOCKLEAR. Thank you, Senator.

The *Virginia*-class submarine is the backbone of our attack submarine force today. It provides us worldwide coverage in covert ways. It is a critical element of any combatant commander's higher-end campaigns or campaign planning, whatever that might be. I think it has performed well and we should all be very proud of the crews and the men and, at some point in time, the women who will serve in those submarines.

The littoral combat ship is just now coming on-line, and that ship will bring to the combatant commander and, if confirmed, hopefully to the PACOM Commander a high-speed, very versatile ship that has minimum draft, which means we can get into more shallow areas, more littoral areas, with reconfigurable mission bays that allow us to more quickly address a variety of mission sets than perhaps other ships that we have built over the decades. It is an important aspect, and I think that they are particularly well suited to the littoral areas particularly around the straits and in the South China Sea area.

Senator AYOTTE. Thank you so much for your assessment of the *Virginia*-class submarine and littoral combat ships.

I share your assessment of those ships and appreciate your sharing that with us.

DOD has repeatedly said that strategy is driving the budget guidance and not just a pure numbers exercise because we have seen in the past where we just do a pure numbers exercise and we are not driven by strategy. We really put our national security at stake when we do that. I hope that is the case this time, but I am concerned about what I see as a mismatch between our stated national security objectives and a portion of the Pentagon budget proposal.

You talked about the importance of, for example, the *Virginia*-class submarine as a backbone and a critical element to our national security, and also the importance of the littoral combat ship. You also described the importance of this in the Future Year Defense Plan.

I would ask you why would the Navy postpone the acquisition of one *Virginia*-class submarine given the importance of it, particularly with our focus on the Asia-Pacific? Also why would the Navy reduce the purchase of two littoral combat ships? What is the strategic rationale for these reductions?

Admiral LOCKLEAR. Senator, in my current position, I have not been part of the budget deliberations, and I cannot tell you that I know exactly what is in the President's budget as it will be delivered.

But in my previous roles, I have done programming for the Navy and strategy development for the Navy, and we always start with a strategy-based approach, which is the right thing to do to see what it is that we would all like to have. Then we recognize pragmatically that the American people will only be able to afford so much. Then there are decisions made that force us to have to manage risk. If I am confirmed, I will assure you that I will identify to you where I think, when those decisions are made, that I have identified where the risks are unacceptable for me.

Senator AYOTTE. Thank you, Admiral. I obviously hope that we are not taking on additional risk as a result of these decisions in terms of our national security, and I hope when you get in the position—and I do expect you to be confirmed and appreciate your wonderful credentials and service—that you will consult back with us and provide me with a more detailed answer on how you think the reduction in the production of the *Virginia*-class submarine or postponement of it and the littoral combat ships affects our national security and what your assessment is of the risk of this portion of the Pentagon budget. I hope you could circle back with me on that.

Admiral LOCKLEAR. If I am confirmed, I will, ma'am.

Senator AYOTTE. Thank you very much, Admiral. I appreciate that.

Admiral, I certainly was pleased to see in your responses in the advance policy questions your testimony about the Joint Prisoner of War/Missing in Action (POW/MIA) Accounting Command (JPAC). This is, obviously, a very important issue. I recently had the opportunity to meet with Major General Stephen Tom, the Commander of JPAC, in January. The recovery operations in North Korea are set to resume later this year, and I applaud that development. Most Korean War veterans and their spouses are now in their 80s, and the Veterans Administration has said that close to 1,000 Korean War veterans who served during the conflict, unfortunately, leave us every day. We cannot wait any longer to resume this critical work.

JPAC is identifying and recovering the remains of 80 to 90 Americans per year. In the 2010 NDAA, it requires the Secretary of Defense to ensure sufficient resources are allotted to increase the recovery rate to 200 a year. I appreciate that there are many factors that will go into determining how to reach the goal of 200 recoveries a year. Will you commit to fully supporting the work of the Joint POW/MIA Accountability Command and doing all you can to ensure that we can meet that goal and, obviously, supporting General Tom in his efforts?

Admiral LOCKLEAR. Senator, if I am confirmed, I fully commit to supporting that critical program.

Senator AYOTTE. Thank you. Thank you very much. I see that my time is up.

I also wanted to just say to General Bostick—in Hanover, New Hampshire, we have the Cold Regions Research and Engineering Lab. The New England district and the Cold Regions Research Engineering Lab have done great work. Please let me know, as you go forward, what I can do to support their excellent efforts and your efforts in that regard. Thank you, General.

General BOSTICK. If confirmed, I will. That is a positive movement for the Corps.

Senator AYOTTE. Thank you very much.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

I certainly do not want to diminish PACOM in any way, but we have a lot of floods in Missouri. So I hope you will forgive me, Admiral, if I direct my questions during this time to General Bostick because his job is very important to thousands of Missouri families that live along our greatest rivers in this country.

Let me start, General Bostick, about the Missouri River Recovery Program currently in the budget. Let me just start with this question, do you agree that the number one priority for the Army Corps of Engineers is flood management?

General BOSTICK. Senator, I would say the number one priority is the protection of life and some of that will be in flood management. Some of it will be in other areas. But protection of life, safety, and risk management are the number one priority.

Senator MCCASKILL. I am not aware of where there is a significant risk to life in terms of the Army Corps' responsibilities aside from flooding, which is obviously very important to my State and all of the people who live along the Missouri and Mississippi Rivers. Obviously, protection of property comes in behind protection of life.

Maybe this is something you can explain, and if you cannot today, I will look forward to a follow-up. Right now in the Missouri River Recovery Program budget, there is $5 million for flood management and north of $70 million for habitat. That disparity in terms of the priorities of the Army Corps is like fingernails on a blackboard to most Missouri families, particularly those who live and have land along our great rivers. I would like you to comment on that and if you believe that is an appropriate disparity between flood management and habitat or whether you think that is out of whack because I guarantee you that is what most of the folks I work for think.

General BOSTICK. Senator, if confirmed, I would have to follow up with you on the details of the flood management and how that varies with the habitat.

What I will say is that the Corps has done extensive studies into what happened this last year with the floods, particularly along the Missouri River. There was a lot of damage that was done, and Congress appropriated $1.7 billion in the supplemental. I do not know how much of that will break down in terms of repairing the systems on the Missouri, but I know that the Corps is committed to repairing those as quickly as possible. If confirmed, I will look into the specifics of the issue that you brought up here today.

Senator MCCASKILL. I am confident that you will be confirmed, and I will look forward to some time with you to talk about that discrepancy. I can assure you that the members of the Missouri delegation that represent our State here, along with the other Senators along the Missouri River—and by the way, the interesting thing along the Missouri River—I do not know what it is about the water of the Missouri, but almost every State in the Missouri River

basin has one Republican and one Democrat representing them in the U.S. Senate. It is a very bipartisan group, this Missouri River Working Group, that Senator Blunt and I, along with Senator Conrad and Hoeven, have gotten started. Now, rather than working north versus south, which as you may know, the historic fight has been recreation and irrigation up north versus navigation down south. We are now singing Kumbaya. We have joined hands and are united for flood control. I think you will hit a real brick wall if there continues to be that kind of discrepancy in terms of the priority of funding going forward.

The Birds Point levee was blown. Now we have switched over to the Mississippi River. It was very controversial. All of us opposed the blowing of Birds Point. It was at 62.5 feet before it was blown. So far, the Army Corps has only rebuilt it to 55 feet. I need a commitment from you today, General, or as soon as you can give it to me, if you are not comfortable giving it today, that it will get rebuilt to 62 feet.

General BOSTICK. Senator, if confirmed, you have my commitment that I will work with the Corps of Engineers and ensure that they work as quickly as possible using the funds appropriated by Congress to do the repairs that are necessary.

Senator MCCASKILL. That is a great answer except it was not the answer I was looking for. I need to know from you—and I need to know before my vote on you—whether or not you will make the commitment that what the Army Corps blew up they will put back to the way it was before they blew it up. That will be one I will not be able to wait until your confirmation on. I need to know before your confirmation your feelings about that levee being built back up to the place it was before the Army Corps decided to blow it. That will be important to me, just so you know.

[The information referred to follows:]

Please see the attached documents.

**DEPARTMENT OF THE ARMY**
**U.S. ARMY CORPS OF ENGINEERS**
**WASHINGTON, D.C. 20314-1000**

FEB 1 5 2012

Office of the Chief of Engineers

Honorable Claire McCaskill
United States Senator
506 Hart Senate Office Building
Washington, DC 20510

Dear Senator McCaskill:

I am writing to respond to a question that you posed to Lieutenant General Thomas Bostick, nominee for the position of Commanding General and Chief of the U.S. Army Corps of Engineers, in a hearing before the Senate Armed Services Committee on Thursday, February 9, 2012.

The Corps of Engineers is fully committed to restoring the Greater Mississippi River Basin system to pre-flood conditions as quickly as possible, and as construction requirements allow. The Corps is also fully committed to restoring the Birds Point and New Madrid Floodway frontline levee, part of the Mississippi River & Tributaries project, to pre-flood elevations, as quickly as possible, consistent with its pre-flood conditions (62.5 feet on the Cairo gage in most locations, and 60.5 feet in the authorized designed overbank sections). The Disaster Relief supplemental appropriation provided full funding to accomplish restoration to pre-flood conditions for the entire Greater Mississippi River Basin.

Due to the historic flood, the Corps operated the Birds Point New Madrid Floodway on May 2, 2011. Once flood waters receded, the Corps quickly initiated construction activities in the floodway to repair and restore the damaged sections of the frontline levee. Using funds transferred from other projects throughout the nation, the Corps initially restored damaged sections to an elevation of 51 feet on the Cairo gage (7-year frequency) and subsequently to its current elevation of 55 feet on the Cairo gage (17-year frequency). In several locations, we used temporary interim measures to provide the current level of protection at elevation 55 feet.

We have currently suspended construction activity in the floodway due to site conditions. We will resume construction later this year, as Mississippi River stages allow, in order to complete permanent levee construction to elevation 55 (replacing the temporary interim measures), and then continue with full restoration to pre-flood elevations. As part of the process, we will be completing design activities on a new operational mechanism used to activate the floodway for incorporation into the re-built levee section as the blasting agent used to operate the floodway last May is no longer available.

The full restoration of the system will include all components that were damaged in the 2011 flood event, which must be repaired in order to reduce risk to the system. We continue to

consider impacts of floodway restoration on system stability in the confluence area. Repair work both underway and pending in Illinois and Kentucky is necessary to ensure system reliability in the confluence area.

We will continue to work with local interests and experts from around the nation to complete a technical review of the existing operating plan, with the goal of identifying whether other less intrusive non-kinetic means are available to operate the floodway in the future, within the existing authority. In order to provide the most current updates, I have asked the Commander of the Mississippi Valley Division, Major General John Peabody, to contact your office in order to set up a time to speak with you about this issue.

Sincerely,

Merdith W.B. Temple
Major General, US Army
Acting Chief of Engineers

CF:
SEN Carl Levin, Chairman, Senate Armed Services Committee
SEN John McCain, Ranking Member, Senate Armed Services Committee

Senator McCASKILL. Finally, I want to briefly talk with you, General. There seems to be a sense that if we are not earmarking in the U.S. Senate, the Army Corps will be ill-equipped to address the priorities of flood control and management along all of our great waterways in this country. Let us assume for purposes of this discussion—let me give you a hypothetical.

If individual Members of Congress were not injecting their priorities within the priorities that the engineers had determined were the best cost-benefit analysis for all of the uses of the rivers and the most important in terms of protection of property and protection of life, would the Army Corps be able to prioritize the funds given to them in a way that would address the most urgent needs of our waterways as opposed to who sits on the Appropriations Committee deciding that their State deserved more just because they were senior ranking member or the chairman of the Subcommittee on Energy and Water Department?

General BOSTICK. Senator, in my view, the Corps works for the American people who express their views through Congress. The Corps works for the National Command Authority, the Secretary of Defense, and the President. The Corps has to do that work for those two bodies under the laws that are written. While doing so, the Corps can prioritize projects through performance-based analysis, but I think each one of those bodies and our law have responsibilities to ensure that when those priorities are set by the Corps of Engineers, they fit within the expressed desires of the people through Congress and the National Command Authority.

Senator McCASKILL. Since you all make priorities based on performance-based measurement, on engineering studies, on safety and flood control and you have those priorities, would you not agree, General, that just because a Member happens to be the senior on a subcommittee of appropriations does not mean that their

priority should substitute for a performance evaluation throughout the whole country?

General BOSTICK. Senator, as I had stated earlier, the Corps can only execute what is authorized and appropriated by Congress. Determining which Member and whether they are senior or not—that is really not what the Corps is responsible to make decisions on. At this point, I cannot make a personal decision one way or the other on your question. But I can say that the Corps will execute what Congress authorizes and appropriates.

Senator MCCASKILL. I think this is a delicate problem you face and I put you on the spot here and I apologize. I have done it more than once in these questions. I know that I have. I will continue to follow up with you.

Just when I examine the water budgets that have been done around this place—my State has a lot of water. We have the two mightiest rivers and the confluence of those rivers. The management of those rivers is very important. It is as important as rural airports are to my friend from Alaska. But if our State is not fortunate enough to have a member on the right appropriations committee, then frankly we get to the back of the bus, not based on merit, not based on need, but just based on who is on what committee and how long they have been here and what party they belong to. It seems to me a very backwards way to prioritize the resources of managing our rivers in this country, and I wanted to make that point while I had the chance.

Thank you both very much for your service, and thank you for your patience, General Bostick, and my very pointed questions.

Chairman LEVIN. Thank you, Senator McCaskill.

Senator Graham.

Senator GRAHAM. General Bostick, are you sure you want this job? [Laughter.]

General BOSTICK. Senator, I am sure.

Senator GRAHAM. What Senator McCaskill is saying has a lot of truth to it, that we need to spend taxpayer dollars wisely with some kind of plan. But I have been here for about an hour and you have been asked about 35 specific things that people would like you to do before you get confirmed, which makes me believe that we seem to know our States better than maybe other people do because I do not know about this thing you blew up. She wants you to build it back. I assume she knows what she is talking about, and I would support it. Is that an earmark to rebuild something you blew up?

Senator MCCASKILL. No. To fix what was blown up by them is not an earmark especially when they made a commitment to do so when they blew it up.

Senator GRAHAM. All right. The point is that we are trying to fix an old problem with a new way of doing business, and I just feel for you.

The Panama Canal is going to be widened in 2014. Is that correct, General Bostick?

General BOSTICK. Sir, I understand that it will be widened in 2014.

Senator GRAHAM. The ships on the sea today are going to be replaced by ships almost three times their size. Is that correct?

General BOSTICK. I understand that to be true, Senator.

Senator GRAHAM. So if you widen the Panama Canal and these super cargo ships can come directly to the east coast, that means we have to look at our infrastructure on the east coast anew. Is that correct?

General BOSTICK. Senator, I would say we have to look at our infrastructure across the country.

Senator GRAHAM. Do we have a plan to deal with the widening of the Panama Canal and how it would affect infrastructure in the Nation to make sure we can export our products to the market? Is there a national vision to deal with the changes in shipping? Is there an administration plan or congressional plan that you know of?

General BOSTICK. Sir, I cannot answer whether there is or is not a plan.

Senator GRAHAM. I can tell you there is not, and that reflects badly on us all.

To my colleagues, shipping as we know it is about to change. Earmarking is a very parochial endeavor that does not allow you to look beyond your local interest. But if you just withdraw from the game and your port like Charleston gets no money in the budget and you think it should be considered based on a merit-based system, what do you do?

I would just say you have been beat up a lot, but I am going to beat up myself and my colleagues. We have absolutely no vision as a Nation as to how to deal with the change in shipping, and that is just one infrastructure change.

I would suggest that we all sit down with this administration and come up with a game plan and say what does it mean if the ships are going to be three times the size they are today coming through the Panama Canal. What does it mean to the Mississippi River? Do you have to widen the Mississippi River because you are going to have more barge traffic? Can every port on the east coast go to 50 feet, which is the minimum requirement to service these ships 24/7? If every port cannot, who says no? If you are not lucky enough to get in the President's budget, what are you supposed to do? Go home to your people and say sorry, we just lost, cannot help you. I just do not think these are good responses to real problems.

The Great Lakes. If it is the largest shoreline in the Nation, how do you deal with the largest shoreline in the Nation? How does it fit into the change in export opportunity? The President says he wants to double exports in the next 5 years. Count me in. How the hell do you get your products to the market? What do you do when shipping changes? Does it affect transportation? Does it mean you have to have more roads for trucks?

There is no vision in this country, and I pledge to you, General Bostick, not just to complain but to sit down and work with you to come up with a merit-based system that would allow Congress and the administration in a collaborative fashion to get ahead of what is going to be a major change in our economy. Rather than just talking about how bad earmarks are and how dirty Congress is, I want to do a little more than that. I want to actually bring a solution.

If you do not like earmarking and you think it is corrupting—and there is a case to be made—what have you done to fix it? What have you done to solve the problem of a world changing and America being left behind?

Have you ever been to the Shanghai port, General Bostick?

General BOSTICK. Senator, I have not.

Senator GRAHAM. You need to go and visit our ports and see the difference.

So I enjoyed talking to you. [Laughter.]

To be continued.

Now, the Charleston port—you are familiar with that. Right?

General BOSTICK. Senator, I am.

Senator GRAHAM. They tell me it is going to take until 2024 to get the harbor deepened to accept these new cargo ships if funding stays the same. Is that okay with you?

General BOSTICK. Senator, I have not seen the plan, but it seems like an awfully long time.

Senator GRAHAM. You know why I think it is an awfully long time to go from 45 to 50 feet? It is three times longer than it took to build the Panama Canal itself. We built the Panama Canal shorter than it would take us to go from 45 to 50 feet in the Port of Charleston.

We have a lot to talk about in the Port of Charleston. You have been great to help us get into the work plan. It is just not the Port of Charleston. It is the Port of Savannah. We are going to sit down and talk about a merit-based system, and I need your input and I need my colleagues to do more than complain about the old system. If you want merit-based decisions, we need to come up with a system that gets us there. I am willing to help anybody to get there, Republican, Democratic, Libertarian, vegetarian.

Now, Admiral, are you familiar with sequestration plans of Congress?

Admiral LOCKLEAR. I am generally familiar with the law and what it would entail.

Senator GRAHAM. How do you feel about it?

Admiral LOCKLEAR. I believe the Secretary of Defense has properly articulated it would be devastating.

Senator GRAHAM. Devastating, dumb. We would be shooting ourselves in the head. It would be a Navy without ships, without sailors, brigades without bullets, air wings without trained pilots. Do you agree with that assessment?

Admiral LOCKLEAR. I agree with that assessment.

Senator GRAHAM. Do you have any idea why we continue to want to go down that road? I mean, I do not. I am just asking you.

Admiral LOCKLEAR. I do not have an opinion on that.

Senator GRAHAM. You are going to be the head of PACOM, and you are telling the members of this committee that if we execute sequestration on top of the $487 billion that we are already trying to cut, we will be devastating the U.S. Navy's capability to defend this Nation?

Admiral LOCKLEAR. I would say it is not just the Navy but across all the Services.

Senator GRAHAM. So we would be devastating our military. Thank you for your candid testimony because I could not agree with you more.

Now, China. That is your theater of operations, right? Is China engaged in a sustained effort of cyber attacks against this country's defense infrastructure? Is the People's Liberation Army engaged in cyber attacks against this country?

Admiral LOCKLEAR. Senator, I do not have direct knowledge that I would share in this forum about that.

Senator GRAHAM. It is widely believed they are.

Would you agree with this? This will be my last question. If the People's Liberation Army of China is engaged in cyber attacks against this country to steal our defense infrastructure, our trade secrets, our national security information, would you consider such activity, if it did occur, a hostile act against the United States? Would it be legitimate for us under the law of war to respond in kind?

Admiral LOCKLEAR. I would only be speculating to give you a legal opinion at this point in time.

Senator GRAHAM. Forget about that. From a military commander's point of view, if our Nation is being attacked in a cyber fashion against our defense infrastructure, do you consider that a hostile act as a military commander?

Admiral LOCKLEAR. Yes, sir, certainly an act against the best interests of our——

Senator GRAHAM. Can you get with me about whether or not you consider it a hostile act and whether or not we have the right to respond in kind and whether or not we should?

Admiral LOCKLEAR. Senator, I would say certainly the activity is hostile. Whether it fits in the category of an exact hostile act, I need to give you a legal opinion on that because there are legalities in warfare that we would have to categorize that. But certainly it tends in that direction.

Senator GRAHAM. You can get back with me.

[The information referred to follows:]

Currently, the precise definition of a cyber attack is evolving. Over the past decade, the term computer network attack was defined in Joint Publication 1–02 as "actions taken in or through the use of computer networks to disrupt, degrade, deny, or destroy information resident in computers or computer networks, or the computers and networks themselves." This definition includes a broad range of activities from those that cause no noticeable effect and fall far below a use of force, to those that cause destruction equivalent to a kinetic attack. Efforts are ongoing to ensure the Joint Publication's definition is not overly broad and properly aligns with international law.

For the purposes of defining rights and responsibilities under international law, U.S. Cyber Command defines cyber attack "as actions in cyberspace whose foreseeable results include damage or destruction of property or death or injury to persons. A cyber attack, defined as such, is a use of forces, equivalent to an 'armed attack,' and may be responded to in self-defense."

Chairman LEVIN. Thank you, Senator Graham.

Senator Begich.

Senator BEGICH. Thank you, Mr. Chairman.

It has actually been somewhat enlightening, this process and testimony so far. I want to say to both the General and Admiral thank you very much for your willingness to participate in what I am learning here. I am making a list of every demand that members

have of you or they will not give you your confirmation. The problem is if you are not confirmed, those demands cannot happen. Maybe there is a disconnect, but also that is the old way, in my view, of doing business around this place.

I have questions. I want you to get in the service of the positions that you are being nominated for because we want to work with you to make things happen.

But I made this shopping list that everyone has requested of you or demanded of you, which I think is somewhat amazing.

I want to just make a comment, and I hope maybe the chairman and we could consider something in the future, on the Law of the Sea because there was a comment from my good friend from Oklahoma earlier. We do a lot of work on issues together. He comes from an oil and gas State like I do. But there is a lot of misinformation out there on the Law of the Sea. The fact is there are only four countries that have not signed on: North Korea, Libya, Iran, and us. Now, maybe I am confused, but I do not think so. Those are people I do not want to hang out with. I think the Law of the Sea from where it affects the country the most, Alaska, is an important part of our long-term national security, national economic opportunities, and a huge undiscovered resource up there in a variety of ways.

I appreciate our conversation, Admiral, regarding your understanding of the importance of it from a national security perspective, and I hope maybe we could have a further discussion because it is a national security issue if we are not part of the equation. To be frank with you, I am not real interested in hanging out with North Korea, Iran, and Libya in regards to our not signing on.

It is more of a comment, but I think there is a lot of misinformation up there in regards to how the revenue streams would work, what our sovereignty is, and the rule of law that we would be able to operate under. So it is more of a comment. I again want to thank you for your comment in support of that.

Admiral, let me touch on the pivot to the Asia-Pacific priority or at least an enhanced priority, I should say, for the area and for PACOM and the importance at least from my perspective, Alaska and Hawaii. These are strategic if we are upping our ante in the Asia-Pacific area. Can you give me your comments on the importance of these somewhat forward-basing but also some of the critical pieces of missile defense from Alaska's perspective?

Admiral LOCKLEAR. Yes, sir, I can. I had the privilege in a previous command of serving as the 3rd Fleet Commander, which is in command of all the naval forces that are in the eastern Pacific. So I am quite familiar with the implications of Hawaii, of the west coast of the United States, the Pacific Northwest, as well as Alaska.

First of all, as a mariner, you look at the globe and you look at it as a globe and you see the world in great circles not in straight lines. If you take a look at the geography of where you are when you are in Alaska, you really are very close and very significantly positioned geographically on the northern periphery of the PACOM area of responsibility (AOR). It is critical not only from a ballistic missile defense perspective but also for the strategic positioning of forces to be able to have forces that are well supported inside the

United States but at the same time are close enough to be able to be relevant in a short-term, quick-reaction requirement that we could have if our security interests are threatened in the Asia-Pacific.

I had some time on the east coast, and if you look at the Atlantic, it takes you about the same time to go from Charleston, SC, on a ship to Portsmouth, England as it does to go from San Diego to Hawaii. You start to see this strategic position of that island chain and our other island chains that we deal with as we move forward.

All of these are critical to the overall rebalancing strategy, and I look forward, if I am confirmed, to making sure that is well articulated.

Senator BEGICH. Thank you very much.

The other one I would like to ask you—I know we talked a little bit about it. It is the Joint Pacific-Alaska Range Complex, which is an important training facility. It has the largest air space and ground domain that anyone in the country can train in. Can you give me your thoughts of how that may play into PACOM and the work you are doing?

Admiral LOCKLEAR. Yes, sir. That range, as do all of our ranges, are critical to our military's ability to be ready when we go forward. Protection of those ranges from encroachment, ensuring that we are allowed to access them for the type of training we need and training that we do in a responsible, environmentally respectful way—we can do that as a military, but that is very important for us as we send young men and women forward with these very well built, very sophisticated systems that we need to counter the type of threats we might have. We have to have places where they can rehearse. Some can be done synthetically but the range systems are very important to our overall national security strategy.

Senator BEGICH. Thank you very much.

General, thank you. My late father-in-law, who passed away recently, was a colonel in the Corps. I hear all the stories and heard all the stories. I thank you for your service.

In Alaska, we love the Corps. You have your own Alaska district up there because of the size. When my friend from Missouri talked about water, we understand water. We are not the State of 10,000 Lakes. We are the State of a million lakes. Three-quarters of the coastline of this country is Alaska, and we have the Arctic which the Corps is now working on which is an amazing part of the equation.

Let me ask you a couple questions. One, this whole prioritization, which I understand how you have to dice the answer because if you do not have the money, you cannot do it, if you are not authorized. The big debate here is earmarks. That is why the water bill is where it is because some people think because we nominate projects in the water bill, it is an earmark. We are in this quandary of how to move that bill forward. But that is your authorizing bill to do your projects. Other than that, it is then just the presidential list. So we are kind of in this stalemate.

I am very interested in what Senator Graham said in setting the metrics and trying to figure it out, because you have multiple layers. You have flood control. You have habitat. In my State, flood control is important to a certain extent. Habitat, I can tell you, is

very important when 60 percent of the fishing industry of this country in the sense of live catch is from Alaska, a huge business, also a huge employer. The Corps plays a role in that to ensure that we have a viable fishing industry in this country. It is a very careful balance.

I would be interested, because my time is limited here, to get your thoughts at a later time, of how you see us building some metrics that we can restrain ourselves but also do what is right for this country but also giving the input that we are hearing from our own constituents on needs in port development. For example, in my State, with the Arctic, we are going to need a deep water port up there. There is no question about it. If we are not careful, we will be in dire straights not having that up there for a variety of reasons. But can you just give me a quick comment? I know my time has expired.

General BOSTICK. I agree, Senator, with many of the points both you and Senator Graham raised on the national priorities and how do we get at a national set of priorities. I think it is going to take governmental, nongovernmental, the administration, and State and local leaders working together to come to a consensus and a common vision on a way to move forward. I look forward, if confirmed, to being part of that team and helping to serve as a catalyst to bring our team together with the other teams in order to address this issue.

Senator BEGICH. Thank you very much. I look forward to seeing you both, if possible, in Alaska. General, I will follow up in a written question—we have about 300 used defense sites. I am curious where they fit and the priorities. We can talk offline on that.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Begich. We may have a slightly different definition of coastline since we think we have either the longest or second longest coastline in the Great Lakes. But nonetheless——

Senator BEGICH. We will measure it.

Chairman LEVIN. You are either number one or number two.

Senator BEGICH. We like to consider ourselves number one. Thank you, Mr. Chairman.

Chairman LEVIN. In any event, thank you, Senator Begich, for your contribution.

I agree with you, by the way, about the confirmation. These two gentlemen hopefully will be not only confirmed but promptly confirmed and the answers that they will be offering to questions for the record are, I hope, in terms of their coming in, will be the only thing that will be between them and confirmation. Not so much the substance of it, I hope, but just the speed with which you can get us the answers because I think your answers will be satisfactory and believe they will be.

Senator Chambliss.

Senator CHAMBLISS. Thanks, Mr. Chairman.

I want to pick up where both Senator Graham and Senator Begich left off with respect to this issue, General Bostick, of trying to make sure that the President's Executive Order number 13534 issued back in 2010 does come to reality. In that executive order, he said we need to have a national strategy for doubling U.S. ex-

ports by 2015. If we do not get our act together at our ports, then not only are we not going to double our exports, we are going to have a hard time receiving imports with the ships that are going to be coming through the expanded Panama Canal at the end of 2014.

We have been working on the deepening project at Savannah Harbor for 10 years. For 10 years we have been jumping through all of the hoops that we have to jump through, some dictated by the Corps, some by environmental requirements and whatnot. I am not saying whether all of that is necessary or not. But I know what is necessary, and what is necessary is getting to the end of the day and getting the port at Savannah—and I am very supportive of the port at Charleston and Jacksonville and all of our ports around the country—to have the capability of receiving those Panamax ships.

It is going to be extremely difficult under the process they have now, and the reason it is going to be difficult is because history dictates to us that every major Corps project is an earmark. That is the way it has always been. We are having to change the process now in this post-earmark world. I am not sure what the answer is either.

But Senator Graham and I have had this debate and conversation time and time again about how we do go forward and represent our respective parts of the country. In fairness to the ports at Mobile, and Jacksonville, and wherever, we have to come up with a better solution than earmarks and, at the same time, we have to recognize that priorities are going to have to be set.

At Savannah, we are now ready. You and I have talked a little bit earlier today. We have a small tranche of Federal money that is going to be joined up with a commitment that has been made by our State, and a major commitment that has been made by our State, to hopefully begin the process at Savannah. We are the fastest growing container port in the Nation. Last year, 12.5 percent of all containers that came in the United States came through Savannah. If we are not ready by 2014 for these Panamax ships, not only is the port at Savannah going to suffer, but retailers throughout the whole east coast and manufacturers throughout the whole eastern part of the United States are going to suffer. It is of critical importance that we address this issue, General Bostick, in the short term.

You said in response to your advance policy questions the Nation must be prepared to take advantage of the opportunities with completion of the Panama Canal in 2014. Now, as Chief of Engineers, what will you do to ensure that projects of national significance such as the Savannah Harbor project are not subject to unnecessary delays and are completed in the timeliest manner as is possible?

General BOSTICK. Senator, I would agree with you and the other Senators that have talked about the urgency of the work that we have ahead of us. We do need a national strategy in a number of different areas, whether it is navigation, hydropower, economic, ecosystem revitalization, some of the aging infrastructure that we are dealing with. All of that requires priorities, and some of those priorities are going to be important at the national level and some

will be very important at the local level. I believe it is important for us to work as a team to sort out those priorities.

I think we have demonstrated throughout our history many times in the past that when we have a common vision, when we have all parties pulling together, when we have the funding, and when we change our business processes accordingly, and then work within the laws and regulations that bind us, that we can move things faster than we currently are. I am committed to being part of the team that moves this forward.

Senator CHAMBLISS. We look forward to working with you on this. Obviously, I think all of us are concerned about it, but we do not have the answers. We need the Corps to be forward-thinking with respect to how we deal with this post-earmark world.

Admiral Locklear, the F–35 program was designed to replace the F–16, the A–10, the F/A–18 fighter planes as a new fifth generation, multi-role fighter. The U.S. military's current top-of-the-line fighter is the F–22, the world's only fully operational fifth generation fighter. There have been less than 200 F–22s produced for the Air Force, and as you and I talked yesterday, 40 of those are in the PACOM AOR. According to recent defense strategic guidance, DOD is further slowing the acquisition and delivery of F–35s, and this issue of budget reduction and the potential for sequestration makes that very difficult.

Now, both China and Russia are developing fifth generation fighters: the J–20 and the Sukhoi PAK FA. Both these aircraft will be challengers and in some facets may be superior to U.S. fighters. There is also a strong possibility that these new fighters will not only be used by China and Russia but may be sold to other countries elsewhere in the Pacific theater. The J–20 and the Sukhoi PAK FA are likely to start entering service in significant numbers by the end of the decade, and both countries are capable of accelerating this acquisition timeframe by settling for alternative engines or a little lesser capability. The presence of these aircraft and our delay in modernizing our tactical aviation forces in the Pacific could possibly alter the balance of power in the PACOM region.

Admiral, assuming you are confirmed, this will be your AOR and your airspace. I know that the J–20 is a new airplane and we have little data on it at this point in time, but it does concern me personally that it flew its first flight test earlier than expected and that the U.S. Intelligence Community is predicting its initial operational capability date may be at least 2 years earlier than originally predicted.

What I see happening at some point in the future is that options the United States currently has in terms of defending U.S. interests and providing deterrence to U.S. allies in the Pacific region may not be available. When those options are no longer available, it will fundamentally change the balance of power in your AOR.

I would appreciate your thoughts on this issue and your thoughts on what the United States needs to do to preserve its options and ability to defend U.S. interests in the region specifically in relation to maintaining air dominance.

Admiral LOCKLEAR. Senator, a critical aspect of our ability to ensure our national interests and the interests of our allies and partners are well protected in this critical region is our ability to stay

forward, just to be there. As any other nation or nations pursue anti-access, area denial capabilities, which are some of the ones you are alluding to, it is critical that we do a couple things. One is that we understand what they are doing. Two is that we keep the systems that we have already invested in as well prepared to address those, and I think that we are doing that at this point in time. Then we have to look longer term are we pacing the threat not only in the air domain but in all other domains.

The F–22 you mentioned are critical to our ability at this point in time to stay forward. The F–35 will be a great addition to that. Certainly any slow-down of that forces the combatant commanders to have to take additional risk in their planning as we look forward. So it is important that if I am confirmed, that I help this committee and the leadership in DOD to stay focused on what we may be giving up if we do not proceed properly.

Senator CHAMBLISS. Thanks to both of you for your leadership and your service to our country. Thanks to your families for their commitment. We look forward to your confirmation and look forward to working with both of you.

Thanks, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Admiral Locklear, Lieutenant General Bostick, thank you both very much for being here and congratulations on your nominations. I share Senator Chambliss' hope that we will see very swift confirmations.

Admiral Locklear, I know that you are looking forward to your future command in the Pacific, and we had a chance to talk earlier this week a little bit about that.

But as subcommittee chair of the European Affairs Subcommittee on the Foreign Relations Committee, we have been looking with great interest towards what is going to happen at the NATO summit in Chicago. As you and I discussed, one of the potential topics for discussion will be what happened in Libya and the lessons learned. Given your recent post at NATO, I wonder if you could talk a little bit about what you think some of those lessons learned from the Libyan effort are.

Admiral LOCKLEAR. First, even as we rebalance our strategy and we start to articulate the Asia-Pacific—our national interests there and our military priorities there, I think from my perspective it is important for us to recognize that our alliance in the NATO alliance is, first of all, a very strong alliance, a mature alliance. It is a large alliance and it has a lot of capability when you put it together and you put it together in a way where it comes together in a meaningful way.

In the case of the Libya operation, it was the first opportunity for NATO to be able to accomplish an alliance operation of that size in a very short period of time. It was a matter of days when they could take the operation from a U.S.-led coalition to a NATO-led coalition, and it is something that really has not been done in the history of NATO. I think it started to show the flexibility of that alliance.

I think it has pointed out some areas where defense spending within the alliance needs to be expanded, and some of the areas that they found that there were shortfalls where we had to rely maybe too heavily on one partner or one member of the alliance. But I think it was also an opportunity for those countries—because Libya was in the back yard of the NATO alliance, it was important for the leadership of key countries to step forward and to take responsibility, and they did that. Overall, I think we gave the Libyan people a chance.

Senator SHAHEEN. As we are recognizing that every situation is different, every country is different, but do you think this provides one of the models that we ought to be looking at in the future as we face other threats to NATO?

Admiral LOCKLEAR. I am always hesitant to plan on the last event because it never proves right to do that. But I think it had elements of it that could help us forecast in the future. I think it does demonstrate the benefits of partners and building partner capacity which I think is critical to the long-term security of an increasingly globalized world. The more friends, allies, and partners that we can have that we can understand, that we can interoperate with, that we have systems that have somewhat compatibility—but there were some amazing instances where we had countries in the NATO alliance that, when I was born, would have never spoken to each other, that came together and were able to interoperate and to do some really, I think, quite significant things in the area of warfare in a very responsible and effective way. From that regard, it can be a model.

Senator SHAHEEN. Thank you.

I know that the issue of the slowing of the building of *Virginia*-class subs has been raised already, but I wonder if you could talk about the unique capabilities that submarines provide in the Pacific region both in terms of traditional warfare and asymmetric warfare. As I think I probably mentioned, I represent the Portsmouth Naval Shipyard where they do a lot of work on *Virginia*-class subs. We are following very closely what is going on with this issue.

Admiral LOCKLEAR. Globally our attack submarine force provide basically a critical element of our defense strategy both from their ability to operate forward for sustained periods, their ability to operate somewhat covertly for sustained periods, and their ability to bring significant combat power to bear, as well as their ability to bring significant intelligence and reconnaissance. I think they are a key element of our joint force.

Certainly in the Asia-Pacific area because of the vastness of the area, the tyranny of distance, the size of the oceans, the size of the littorals—half the people in the world live in the Asia-Pacific. Most of the emerging economies are there, as we have already heard, most of the trade, the globalization of trade. In the Navy, we are commonly heard to say 90 percent of everything that moves in the world moves in the oceans and through the littorals. What we do not say very often is in the last couple of decades that 90 percent has increased fourfold. It is 90 percent of four times what it was a couple decades. So that is an indication and we are talking about the Panama Canal being expanded. Being able to have an effective

understanding of what happens in that globalized environment I think is critical, and our submarines are a big part of that.

Senator SHAHEEN. Can you talk at all about the trajectory of our submarine capabilities versus Russia and China over the next 10 years? Do we have a sense of how we will compare?

Admiral LOCKLEAR. We build the best submarines in the world.

Senator SHAHEEN. I had no doubt about that.

Are they developing any technology that may rival ours?

Admiral LOCKLEAR. I think that what has concerned me most over time is the proliferation of very quiet diesel or diesel-electric submarines and the proliferation of those around the world. I think today there are well over 300 of those types of submarines that are in the various parts of the world, some with friends, allies, and partners, but some places where they are not. The proliferation of those assets, even though they are locally distributed—I mean, they are not far-reaching and they don't leave generally the coastal areas of those countries—they become area denial weapons, asymmetric area denial weapons, which as we have seen in North Korea where they used a mini-sub that was able to accomplish an attack there.

So that does concern us and it concerns us not only as it relates to our own submarines' ability to counter that, but also the rest of our technology that has to be developed, whether it is our airborne sensors, whether it is our surface-borne sensors, whether it is our intelligence community to be able to keep track of what is happening inside these nations that are proliferating. Those are the things that concern me.

Senator SHAHEEN. Thank you.

I am out of time, but I wonder if I could ask Lieutenant General Bostick just one question. I know my colleague from New Hampshire, Senator Ayotte, raised the importance of the Cold Regions Lab up in Hanover which does such great work, so I just want to echo that.

But one of the things that I have been very concerned about and I know that our military is also very concerned about is the number of engineers, science and technology professionals, that we are losing. By 2020, about 50 percent of them will be eligible for retirement. Can you talk a little bit about how you see being able to rebuild that science, technology, engineering, and mathematics (STEM) capacity within the Army? As you think about the challenges facing the work that you will be taking on in our labs and other technical areas, how are we going to attract the engineers and the STEM professionals that we need for the future?

General BOSTICK. Senator, I think this is a very important point for the country. I sit on the advisory board up at West Point for the civil engineering department and for the systems engineering department. Even at the institution that was the first engineering school in the country, we have concerns about growing engineers.

But it really starts at a very young level. I mentioned that my wife is an elementary school teacher, and each time during the year I try to go to speak to the youngsters about the importance of engineering. I think that is where it starts. Our education in America must focus on science, technology, engineering, and math in a greater degree than we may be now, and to galvanize that in-

terest in the young men and women so that we have a population to choose from to encourage them to study in this important area. We are going to need STEM specialists in every part of the country, and the Corps of Engineers will be part of the team that helps develop them.

Senator SHAHEEN. Thank you. I could not agree more with your comments, especially when it applies to early childhood education.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Vitter.

Senator VITTER. Thank you, Mr. Chairman, and thanks to both of you for your dedication, for your lifetime of military and public service. We all appreciate that.

General Bostick, because of the enormous importance of the Corps to Louisiana, I will focus the conversation with you. I also want to thank publicly the many, many fine men and women in the Corps, very talented, very dedicated, and very bright.

But I also want to focus on a problem which is that the Corps, as a bureaucracy, as an organization, is really broken in fundamental ways, is really dysfunctional in fundamental ways. The average Corps project that gets done takes 20 years to get done. It is studied for 8-plus years, and that has grown over time. The Corps seems to be best at studying things, and over time, of course, costs go up, so limited resources never quite keep up. It is like a dog running after its tail. Those issues have only gotten worse in the last decade within the Corps in terms of that dysfunction and those problems.

What would be the top three specific reforms you would make if confirmed to fix that?

General BOSTICK. Senator, first, thanks for the compliments about the Corps employees. I think they are hard-working, dedicated professionals, and I have served with them in peace and combat. I deployed with the 1st Calvary Division and then helped lead the Gulf Region Division, and I saw Corps military and civilian employees do things side by side with our soldiers, sailors, airmen, and marines. I am very proud of them.

As I look at the Corps—first, I talked about trust and building trust and understanding each of our issues and each of our concerns, whether it is national, local, State, government or nongovernmental, is bringing the team together. I think the Corps' team has to come together, and I think they have a solid team, but making sure that the issues of all the teammates are understood.

I think we have to transform the Corps in terms of our programs, both military and civil. The Corps is working on that. I think they have to be aligned to the national priorities of this country. I believe we have a huge issue with aging infrastructure. Many of our hydropower plants are over 34 years old. The infrastructure along our levees and our dams is also very old and aging. Our navigation channels. We have over 900 that we are responsible for: 250 are maintained at any level, and of that 59 are top priorities that 90 percent of commercial traffic flow against. Of those 59, they are going to dredge to the depths and widths that they are authorized only 35 percent of the time. The other issue is to focus on funding and how do we take the precious resources that we have and align

them to the national priorities and achieve energy goals. Achieving the energy goals is very important.

Finally, I think about our business processes. Sir, I think you saw in Louisiana that the Corps adjusted its business processes in addressing the issues after Katrina. I think what happened there also is that the Nation had a common vision. It went after the post-Katrina problems with immediate funding, a common vision on what had to be done, and the Corps adjusted its business processes to make things happen. So it can be done, and I am convinced that it can be done, and I look forward to working with you on that.

Senator VITTER. General, right after Katrina, the Corps did adjust in part because of extraordinary authority and funding. I am here to tell you that the Corps has completely adjusted back. That phase, unfortunately, is done and the Corps has completely adjusted back to pre-Katrina organizational responses.

My question was about specific organizational reforms. What are your thoughts about your top three specific organizational reforms that you would implement to help fix this?

General BOSTICK. First, I would look directly at the business processes in military programs and civil works. I think with BRAC and what we have seen with BRAC and what has happened on the military side to move BRAC 2005 along from design, bid, build processes to design, build has taken the contractor and brought them forward and moved things quickly. I think those lessons learned and the lessons learned in Katrina that allowed for the rapid funding, allowed for some of the accommodations of the National Environmental Policy Act, and allowed for the team to work together in a common vision—I think a business process from those two examples is what we need to do throughout the Corps with the agreement of Congress, the administration, and the American people.

I think energy goals remain important in this day and age. I am going to look at the energy security and energy sustainment and ensure that we are meeting the requirements of the American people and the Nation. Finally, looking at the aging infrastructure, as I talked about before, and prioritizing that to national priorities.

Senator VITTER. General, in the written questions that were submitted and answered before the hearing, one of the questions goes directly to this. In your view, does the Army Corps of Engineers need to make any changes in the way it operates, and if so, what changes would you recommend? Your answer was basically, if confirmed, you would consult with a lot of people and we could determine what, if any, changes are needed.

Are you really unsure that significant changes are needed as you answered in your written response?

General BOSTICK. I believe changes are needed, and I believe some of them are significant.

Senator VITTER. Okay. So you would amend this written response in that regard.

General BOSTICK. I have had time to think about this since I provided that response some time ago, and I believe that based on the things that we have seen and the time that I have been able to review this, that there are significant changes. Some changes require changes well outside the Corps. There are issues with funding.

There are issues with the amount of risks we are willing to take, the amount of lawsuits that occur, the environmental requirements that are required by law. I think all of that has to be taken into consideration and changes in those areas, just as we were allowed to do post-Katrina, are the kind of changes I think that are necessary to move all of us along with a common vision.

Senator VITTER. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Vitter.

Just one additional question for you, Admiral, relating to our strong alliance with South Korea. There has been in the past a number of times when we said we were going to transfer the wartime situation that we were in, to transfer the wartime operational control (OPCON), from the United States to South Korea. That has been delayed again. It is scheduled now for December 2015.

Would you agree that it is appropriate that the Republic of Korea assume OPCON of its own forces during time of war?

Admiral LOCKLEAR. Mr. Chairman, I would agree and I would agree that the 2015 timeline appears to be moving in that direction from everything I have been told and that we seem to be on track for that. I would support staying on track for that transition date.

Chairman LEVIN. I think it is important that we stick to that when we should have stuck to the earlier one, but that is now water over the dam. The 2015 date is now one that ought to be kept. I am glad to hear your answer that it is your intention that we keep on that track.

Okay. We have come to the end of Senators' questions, and now let me ask you the standard questions which we ask of our nominees, which usually come before all of your other answers, but this time come afterward. These are the standard questions and you can answer together.

First, have you adhered to applicable laws and regulations governing conflicts of interest?

Admiral LOCKLEAR. I have.

General BOSTICK. I have.

Chairman LEVIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Admiral LOCKLEAR. I do.

General BOSTICK. I will.

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

Admiral LOCKLEAR. No, sir.

General BOSTICK. No, sir.

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

Admiral LOCKLEAR. I will.

General BOSTICK. I will.

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

Admiral LOCKLEAR. I will.

General BOSTICK. I will.

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

Admiral LOCKLEAR. They will.

General BOSTICK. They will.

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

Admiral LOCKLEAR. I do.

General BOSTICK. I do.

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

Admiral LOCKLEAR. I will.

General BOSTICK. I do.

Chairman LEVIN. We thank you. We thank again your families. We are delighted to see them here and know how important they are in your lives and in the security of this country. We look forward to a prompt confirmation and hope that you can get your answers for the record in promptly so we can proceed to vote on your confirmation here as soon as possible. Thank you both. Congratulations on your nominations.

We will stand adjourned.

[Whereupon, at 11:45 a.m., the committee adjourned.]

[Prepared questions submitted to ADM Samuel J. Locklear III, USN, by Chairman Levin prior to the hearing with answers supplied follow:]

## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions? If so, what areas do you believe might be appropriate to address in these modifications?

Answer. No, I do not see any need to modify the Goldwater-Nichols Act. If confirmed, I will continue to be alert to the need for any modifications.

### DUTIES

*Question.* What is your understanding of the duties and functions of the Commander, U.S. Pacific Command (PACOM)?

Answer. The Commander, PACOM, is responsible for deterring attacks against the United States and its territories, possessions, and bases, to protect Americans and American interests and, in the event that deterrence fails, to win its Nation's wars. The commander is also responsible for expanding security cooperation with our allies, partners, and friends across the Asia-Pacific region.

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

Answer. I believe my 35 years of military experience, culminating in command of U.S. Naval Forces Europe, U.S. Naval Forces Africa, and the North Atlantic Treaty Organization (NATO) Joint Force Command Naples, Italy have prepared me for assuming command of PACOM.

Operationally, I have gained valuable experience and insights planning and leading extensive joint and coalition operations at both the tactical and operational levels. In my current position, I commanded both the U.S. and NATO-led Libya operations, Odyssey Dawn and Unified Protector. As Commander, U.S. Third Fleet in San Diego, CA, I was responsible for the training and certification of all Pacific rotational naval forces, for the planning and execution of the bi-annual Rim of the Pacific (RIMPAC) multinational exercise, and served as the alternate Joint Maritime Component Commander for key Pacific Operational Plans. As the Commander of the *Nimitz* Carrier Strike Group, also in San Diego, CA, I operated throughout the PACOM and CENTCOM areas of responsibility (AOR) and commanded naval forces in the planning and execution of the initial combat phase of Operation Iraqi Freedom. Additionally, I was privileged to command the destroyer, USS *Leftwich* (DD984), homeported in Pearl Harbor, HI.

Ashore, as a member of the Joint Staff, J–5, Plans and Policy Directorate, and three times as a flag officer assigned to the Navy staff, including serving as the Director of the Navy Staff, I gained valuable insights into the resourcing and administrative processes that underpin an effective Department of Defense (DOD), including a deep appreciation for the interagency and the importance of the whole-of-government approach.

Finally, Pam, my wife of 33 years, embodies today's military spouse and family, and is a superb representative of our U.S. Armed Forces. We are a great team and she adds significantly to my qualifications.

*Question.* Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, PACOM?

Answer. If confirmed, I intend to take every opportunity to enhance my knowledge of and relationships with our allies and partners across the Pacific. I look forward to engaging with senior leaders within DOD, the Department of State, regional security experts, leading think tanks and universities, and military and civilian leaders throughout the Asia-Pacific in order to improve my understanding of U.S. interests in the region.

RELATIONSHIPS

*Question.* If confirmed, what will be your relationship with:

The Secretary of Defense.

Answer. The Commander, PACOM, performs his duties under the authority, direction and control of the Secretary of Defense. He is directly responsible to the Secretary of Defense for the ability of the command to carry out its missions.

*Question.* The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense performs duties as directed by the Secretary and performs the duties of the Secretary in his absence. The Commander, PACOM, ensures the Deputy has the information necessary to perform these duties and coordinates with him on major issues.

*Question.* The Under Secretary of Defense for Policy.

Answer. Under Secretaries are key advocates for combatant commands' requirements. The Commander, PACOM, coordinates and exchanges information with the Under Secretary of Defense for Policy on strategic and regional security issues involving the Asia-Pacific theater.

*Question.* The Under Secretary of Defense for Intelligence.

Answer. The Commander, PACOM, coordinates and exchanges information with the Under Secretary of Defense for Intelligence as needed to set and meet the command's intelligence requirements.

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

Answer. The Chairman functions under the authority, direction and control of the National Command Authority. The Chairman transmits communications between the National Command Authority and the PACOM Commander and oversees the activities of the PACOM Commander as directed by the Secretary of Defense. As the principal military advisor to the President and the Secretary of Defense, the Chairman is a key conduit between the combatant commander, interagency, and Service Chiefs.

The PACOM Commander keeps the Chairman informed on significant issues regarding the PACOM Area of Responsibility. The Commander communicates directly with the Chairman of the Joint Chiefs of Staff on a regular basis.

*Question.* Commander, U.S. Central Command.

Answer. The PACOM and U.S. Central Command (CENTCOM) share a border between their respective AORs. The Commander, PACOM, maintains a close relationship and communicates directly with the Commander, CENTCOM, on issues of mutual interest that affect both of their AORs so that respective strategies, policies and

operations are coordinated and mutually supportive. India-Pakistan issues have heightened the importance of close cross-combatant command coordination.

*Question.* Commander, U.S. Special Operations Command.

Answer. As a subordinate unified command of PACOM, Special Operations Command Pacific and its component units deploy throughout the Pacific, supporting Commander, PACOM's Theater Security Cooperation Program, deliberate plans, and real world contingencies. The Commander, PACOM, maintains a close relationship and communicates directly with the Commander, U.S. Special Operations Command on issues of mutual interest. PACOM coordinates requirements and operations of Special Operations Forces within the PACOM AOR through Commander, Special Operations Command, Pacific.

*Question.* The other combatant commanders.

Answer. Commander, PACOM, shares borders with and maintains close relationships with the other combatant commanders. These relationships are critical to the execution of our National Military Strategy and are characterized by mutual support, frequent contact, and productive exchanges of information on key issues.

*Question.* The Service Secretaries.

Answer. The Service Secretaries are responsible for the administration and support of forces assigned to combatant commands. The Commander, PACOM, coordinates with the Secretaries to ensure that requirements to organize, train, and equip PACOM forces are met.

*Question.* The Service Chiefs.

Answer. The Commander, PACOM, communicates and exchanges information with the Service Chiefs to support their responsibility for organizing, training, and equipping forces. Successful execution of PACOM's mission responsibilities requires coordination with the Service Chiefs. Like the Chairman, the Service Chiefs are valuable sources of judgment and advice for the combatant commanders.

*Question.* Commander United Nations/Combined Forces Command/U.S. Forces Korea.

Answer. As a subordinate unified commander, the Commander, U.S. Forces Korea receives missions and functions from Commander, PACOM. I recognize his role as Commander, Combined Forces Command and will fully support his actions in that sensitive and demanding role.

*Question.* The Deputy Assistant Secretary of Defense for Prisoner of War (POW)/Missing in Action (MIA) Personnel.

Answer. The Commander, PACOM, coordinates and exchanges information with the Deputy Assistant Secretary of Defense for POW/Missing Personnel Affairs on strategic policy issues involving the POW/MIA accounting mission worldwide and Personnel Recovery requirements in the Asia-Pacific Region.

*Question.* The Chief of Naval Research.

Answer. The Office of Naval Research is a valuable source for technologies that help the Commander, PACOM, counter developing threats in the Asia-Pacific region. If confirmed, I will maintain a close relationship with the Chief of Naval Research as well as the other service research organizations and national laboratories to ensure the requirements for developing technologies for PACOM are understood.

CHALLENGES AND PRIORITIES

*Question.* In your view, what are the major challenges that will confront the next Commander of PACOM?

Answer. As our Nation globally rebalances toward the Asia-Pacific region, I will focus on three main challenges in the PACOM AOR. First, North Korea's conventional military, weapons of mass destruction (WMD) and proliferation activities coupled with the ongoing Kim regime transition create threats to regional security and stability. Second, the stability, security and prosperity of the Asia-Pacific will depend on strong relationships with our Asia-Pacific treaty allies and partners to ensure that we are able to maintain regional access to and use of the global commons. Finally, China's rise as a regional and global power, including its substantial military modernization and buildup, is a source of strategic uncertainty and potential friction. The China/U.S. relationship has been an area of in-depth study and analysis by the current Commander and Staff of PACOM. I look forward to closely reading and broadening my understanding of this very dynamic relationship that cuts across all facets of our Government.

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

Answer. PACOM will support the administration's whole-of-government approaches to achieve a peaceful, secure and prosperous future security environment on the Korean Peninsula. Our forward military presence reassures our treaty allies

and deters aggression by North Korea. While the ongoing leadership transition creates a period of uncertainty, it may also present opportunities for the Peninsula to advance to a greater level of stability and security.

We will continue our commitments to modernizing and strengthening our treaty alliances and partnerships in the region. These critical relationships will be enhanced by maintaining interoperable military capabilities that deter regional aggression and build partner security capacity.

We will remain steadfast in our efforts to mature the military-to-military relationship with China. Both China and the United States have a strong stake in the peace and stability of the Asia-Pacific region. Building a cooperative bilateral relationship will reduce the likelihood of a miscalculation, increase the clarity of Chinese strategic intentions and encourage mutual engagement in areas of common concern.

*Question.* If confirmed, what broad priorities would you establish in terms of issues which must be addressed?

Answer. My first priority will be to continue to maintain a credible deterrent posture and reassuring military presence in the Asia-Pacific.

Next, we must both deter North Korean aggression and counter their proliferation activities. To do so we will work through DOD to collaborate with other elements of U.S. Government and our allies to maintain peace on the Peninsula and dissuade North Korea from actively pursuing a nuclear weapons program. With regard to China, actively pursuing steady and measured military-to-military engagement will be one of my top priorities.

Lastly, while supporting our Nation's strategic focus on the Asia-Pacific and sustaining the realignment and transformation processes already underway, we must also carefully shepherd and repeatedly assess progress toward desired force posture, ensuring we remain cognizant of evolving budgetary realities. These efforts will receive my prioritized attention as we work to build on and strengthen bilateral relationships with our regional allies and partners.

DEFENSE STRATEGIC GUIDANCE AND PACOM FORCE POSTURE

*Question.* The Defense Strategic Guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense", announced by President Obama on January 5, 2012, includes, among other things, the intention of the administration and the Pentagon to "rebalance toward the Asia-Pacific region". In his associated remarks, Secretary Panetta explained that the "U.S. military will increase its institutional weight and focus on enhanced presence, power projection, and deterrence in Asia-Pacific." Significant changes to the U.S. force posture in the region are already planned over the next several years, including movement of marines from Okinawa to Guam and the relocation of U.S. forces within South Korea. There are also discussions about increasing presence in southern parts of the Asia-Pacific, including countries like Australia and Singapore, and developing more comprehensive engagement strategies with a number of other countries in the region. These initiatives will likely compete with other global commitments for increasingly constrained funding.

What is your understanding of the plan for the Asia-Pacific region as contemplated in the January 2012 Defense Strategic Guidance?

Answer. My understanding is that we will emphasize our existing alliances, which provide a vital foundation for Asia-Pacific security. We will also expand our networks of cooperation with emerging partners throughout the Asia-Pacific to ensure collective capability and capacity for securing common interests. Additionally, we look to invest in a long-term strategic partnership with India to support its ability to serve as a regional economic anchor and provider of security in the broader Indian Ocean region. Furthermore, we will maintain peace on the Korean Peninsula by effectively working with allies and other regional states to deter and defend against provocation from North Korea, which is actively pursuing a nuclear weapons program.

The maintenance of peace, stability, the free flow of commerce, and of U.S. influence in this dynamic region will depend in part on an underlying balance of military capability and presence. Over the long term, China's emergence as a regional power will have the potential to affect U.S. economic and security interests in a variety of ways. Our two countries have a strong stake in peace and stability in East Asia and an interest in building a cooperative bilateral relationship. However, the growth of China's military power must be accompanied by greater clarity of its strategic intentions in order to reduce the prospects for regional instability. The United States will continue to make the necessary investments to ensure that we maintain regional access and the ability to operate freely in keeping with our treaty obligations and with international law. Working closely with our network of allies and partners,

we will continue to promote a rules-based international order that ensures underlying stability and encourages the peaceful rise of new powers, economic dynamism, and constructive defense cooperation.

*Question.* In your view, what should the United States do to "increase its institutional weight and focus" in the Asia-Pacific?

Answer. In keeping with our national-level strategic guidance, I believe it is essential that the United States maintain an enduring military presence that reassures countries in the region that the United States is committed to Asia-Pacific security, economic development, and rules and norms necessary to the region's success. My understanding is that the strategic guidance seeks to maintain a robust force presence in Northeast Asia and to distribute U.S. forces geographically better throughout the region to address the significant security challenges we face across the entirety of the region. This affords the United States the capability to strengthen regional security and better perform the types of missions our forces are likely to face in the future such as combating terrorism, responding to natural disasters, and counter proliferation.

*Question.* As you understand it, what does this strategy guidance mean in terms of changes to the numbers and types of operational units assigned within the PACOM AOR?

Answer. If confirmed, I will work with the Secretary and his staff and my counterparts across the Department to assess the potential global tradeoffs, risks, and budgetary implications associated with any changes in U.S. forward presence in the Asia-Pacific. Consulting closely with our allies and partners, and tailoring defense posture appropriately will allow the United States to respond more effectively to the wide range of challenges confronting the Asia-Pacific region.

*Question.* What are your views on the current number and types of ships forward-stationed in the Asia-Pacific region? Are they sufficient to support the January 2012 Defense Strategic Guidance, as you understand it, or would you foresee the need to increase or change that naval force structure in the AOR?

Answer. The January 2012 Defense Strategic Guidance places an emphasis on the importance of the Asia-Pacific. If confirmed, I will review levels of assigned forces in the Asia-Pacific region and if there are shortfalls, I will advocate for additional resources required to support the President's and Secretary's priorities.

*Question.* What do you believe should be the United States' force posture priorities in the Asia-Pacific and what strategic criteria, if any, should guide the posture of U.S. forces in the region to best support those priorities at acceptable risk levels?

Answer. I believe the United States should prioritize an enduring military presence in the Asia-Pacific region that demonstrates our commitment to Asia's security and the protection of American interests.

I agree with the assessment that U.S. force posture in the region must be geographically distributed, operationally resilient, and politically sustainable.

*Question.* How important is a forward-basing strategy to the ability of PACOM to execute its day-to-day mission? Its operational contingency plans?

Answer. I believe the United States' forward-based forces are our most visible sign of our commitment to regional peace and stability. Forward based forces are not only the first responders in any contingency, they also serve to assure allies and partners and deter potential adversaries and are vital for day-to-day engagement where we train and exercise together to enhance capabilities and capacities across the region.

Based on the above thoughts and because of the wide expanse of the theater, I believe forward-based forces are critical to PACOM's day-to-day operations as well as operational contingency plans.

*Question.* How, if at all, do the methods of forward-basing, rotational forces, and agreements with allies for training and logistics activities throughout the region contribute to forward presence?

Answer. DOD views posture as a combination of three elements: forces, footprint, and agreements. "Forces" are U.S. military capabilities, equipment, and commands, assigned or deployed. "Footprint" describes our infrastructure, facilities, land, and prepositioned equipment. "Agreements" are treaties, as well as access, transit, support, and status of forces (SOFA) agreements with allies and partners.

Together, these enable the United States to maintain a forward presence to achieve our national security objectives and demonstrate our commitment to the region.

*Question.* What do you see as the implications, if any, of the planned force posture changes in Korea, Japan, and Guam for the U.S. commitment to the Asia-Pacific region in general?

Answer. As the President has made very clear, we are steadfast in our commitment to the defense of Japan and the Republic of Korea. I understand that as the

Department considers posture changes in the Asia-Pacific region, the goal is to fulfill our treaty obligations in Northeast Asia, while enhancing our presence in Southeast Asia, and ensuring our posture is geographically distributed, operationally resilient, and politically sustainable.

*Question.* How does the planned relocation of U.S. forces from Okinawa to Guam improve U.S. security in the region?

Answer. Our commitment to the security of Japan is unshakeable. I understand the planned changes in the Asia-Pacific region will result in force posture that is geographically distributed, operationally resilient, and politically sustainable. Guam's strategic location supports our ability to operate forces from a forward location.

Planned posture shifts result in greater geographic distribution of our forces in the region, enhancing our ability to respond to contingencies and meet treaty obligations in Asia. It demonstrates our commitment to allies and to fulfilling our agreements with allies and partners.

*Question.* How does the planned relocation of U.S. forces on the Korean Peninsula improve security?

Answer. Our commitment to the security of the Republic of Korea is unshakeable. I understand that as with planning for Japan, Guam, and Australia, the planned posture changes in Korea will result in force posture that is geographically distributed, operationally resilient, and politically sustainable. The changes appear to address host nation concerns and simultaneously improve our mutual defense infrastructure. I support the posture changes on the Peninsula consistent with the joint vision for the alliance laid out by our Presidents and further developed by the Secretary of Defense and his Republic of Korea counterpart.

*Question.* What is your understanding of the plans for rotational deployments of U.S. marines to Australia and how, in your view, will such a presence advance U.S. security interests?

Answer. In November 2010, the Department established a Force Posture Working Group with our ally, Australia to develop options to align our countries' force postures in complementary ways to benefit the national security of both nations. During the September 2011 Australia-United States Ministerial Consultations, Secretaries Clinton and Panetta discussed with their counterparts several of the Working Group's recommendations. When the President visited Australia this past November, he and Australian Prime Minister Gillard announced two new force posture initiatives—one to phase in a rotational deployment of up to 2,500 marines near Darwin, and another to expand U.S. access to Northern Australian airfields.

As I understand it, the initiatives will enhance our engagement with Australia and with regional partners. They will also enable the military forces of both our Nations to better—and possibly cooperatively—respond to contingencies, including humanitarian assistance and disaster relief.

These initiatives—developed in cooperation with a key ally—demonstrate the strength of the U.S.-Australia Alliance and its ability to enhance regional stability and security. If confirmed, I will continue the close defense cooperation with Australia.

*Question.* In your view, are the levels of funding, manning and military-to-military engagement in the Asia-Pacific region appropriate to the management of current and future risk to U.S. strategic interests in the region?

Answer. The January 2012 Defense Strategic Guidance places an emphasis on the importance of the Asia-Pacific. If confirmed, I will review levels of funding, manning, and military-to-military engagement in the Asia-Pacific region and—if there are shortfalls in existing resources—I will advocate for additional resources required to support the President's priorities.

ENGAGEMENT POLICY

*Question.* One of the central pillars of our national security strategy has been military engagement as a means of building relationships around the world. Military-to-military contacts, joint combined exchange training exercises, combatant commander exercises, humanitarian assistance operations, and similar activities are used to achieve this goal.

If confirmed, would you support continued engagement activities of the U.S. military? If yes, would you advocate for expanding U.S. military-to-military engagement? If not, why not?

Answer. A regular program of military engagement is essential to sustaining existing relationships and nurturing emerging ones. I would support a sustainable pace of operations that whenever possible includes innovative, low-cost, and small-footprint approaches to achieve national security objectives. Military-to-military con-

tacts at both senior and junior levels, bilateral and multilateral exercises, humanitarian assistance operations and similar activities are important elements of this engagement. With the current budget environment, careful choices will need to be made that focus resources where they provide the most value and return. Whenever possible, we will develop innovative, low-cost, and small-footprint approaches to achieve Pacific theater security objectives.

*Question.* In your opinion, how do these activities contribute to U.S. national security?

Answer. Military engagement activities strengthen the network of alliances and partnerships in the Asia-Pacific reinforcing deterrence, helping to build the capacity and competence of U.S., allied, and partner forces which in turn advances common interests, addresses shared threats, and facilitates freedom of movement and access to the region. Military engagement builds partnership capacity which remains important for sharing the costs and responsibilities of global leadership and postures the United States as the security partner of choice.

BUILDING PARTNER CAPACITY

*Question.* In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations, including the global train and equip authority ("section 1206") and Global Security Contingency Fund (GSCF).

What is your understanding of the purpose of the section 1206 global train and equip authority and GSCF?

Answer.

*1206*

Congress approved section 1206 global train and equip authority in 2006 in part to give the State Department and DOD a more flexible capacity building authority to address urgent and emergent threats before the threats destabilize theater partners or threaten the Homeland. Later in 2009, the scope expanded to assist coalition partners as they prepare for deployment. I understand this rapid funding tool currently is PACOM's most agile mechanism to address counterterrorism capability gaps in partner nations.

*Global Security Contingency Fund*

The GSCF is a new initiative to pool the resources of State and DOD, as well as the expertise of other departments, to provide security sector assistance for emergent challenges and opportunities.

The GSCF has no appropriated funding, rather State and DOD can transfer funds from other fiscal year 2012 appropriations into the GSCF. DOD can transfer up to $200 million from defense-wide Operations and Maintenance and State can transfer up to a combined $50 million from Foreign Military Financing (FMF), International Narcotics Control and Law Enforcement, and the Pakistan Counterinsurgency Capability Fund. Once transferred, funds remain available until September 20, 2015.

The GSCF can provide assistance: (1) to national military and security forces, as well as the Government agencies responsible for overseeing these forces; and (2) for the justice sector when civilian agencies are challenged (including law enforcement and prisons), rule of law programs, and stabilization efforts in a country.

As I understand it, the GSCF will be run by a small staff composed of both State and DOD employees, as well as employees from other departments and agencies in some cases. Exact reporting structures and procedures for implementation are being developed to address the specifics of the legislation granted by Congress.

*Question.* In your view, what are our strategic objectives in building the capacities of partner nations in the Asia and Pacific region?

Answer. The United States' primary objective in building the capacity of foreign partners should continue to be to help them develop effective and legitimate security institutions that can provide for their countries' internal security, and contribute to regional and multilateral responses to shared threats and instability. Maintaining and strengthening our alliances and partnerships are critical to the stability in the region. Capacity building provides opportunities to build defense relationships and promotes both interoperability between our forces and access to the region during peacetime and contingency operations. Lastly, building this capacity in our allies and partners lessens the burden on U.S. forces responding to security threats outside the United States.

CHINA

*Question.* China's defense spending has had double-digit increases annually for about the past 20 years. While a certain amount of military expansion is to be ex-

pected for a country experiencing the kind of economic growth that China has over about that same period, the types of platforms and capabilities China is developing have been interpreted by some as designed to project power, limit freedom of movement by potential adversaries, and conduct military operations at increasing distances. Such developments, coupled with strident rhetoric and a lack of transparency, stoke growing concerns about China's intentions in the region. The Defense Strategic Guidance, announced on January 5, refers to China as one of the countries that "will continue to pursue asymmetric means to counter our power projection capabilities".

How would you characterize the current U.S. relationship with China?

Answer. In January 2010, President Obama and Chinese President Hu Jintao affirmed the need for a positive, cooperative, and comprehensive U.S.-China relationship. I would describe the relationship as simultaneously possessing elements of cooperation and competition. The United States, including DOD, continues to pursue opportunities to cooperate where there is a mutual benefit, while having frank discussions of areas where we may have differences.

*Question.* What do you believe are the objectives of China's steady increase in defense spending and its overall military modernization program?

Answer. China appears to be building the capability to fight and win short duration, high-intensity conflicts along its periphery. Its near-term focus appears to be on preparing for potential contingencies involving Taiwan, and to deter or deny effective intervention in a cross-strait conflict. Its modernization efforts emphasize anti-access and area denial capabilities. China is also devoting increasing attention and resources to conducting operations beyond Taiwan and China's immediate periphery. Beijing's growing focus on military missions other than war includes humanitarian assistance, non-combat evacuation operations, and counter-piracy support. Lastly, China is strengthening its nuclear deterrent and enhancing its strategic strike capabilities through the modernization of its nuclear forces, and is improving other strategic capabilities, such as in space, counterspace, and computer network operations.

*Question.* How should the United States respond to this Chinese military growth and modernization?

Answer. I believe the United States should continue to monitor developments in China's military concepts and capabilities while encouraging Beijing to be more transparent about its military and security affairs. The United States has been and should remain the pivotal military power in the Asia-Pacific region in order to preserve the conditions that have fostered peace and prosperity. The United States' response to China's military modernization should be flexible and supported by the continued transformation of our force posture in the Asia-Pacific region, the maintenance of our global presence and access, the modernization of our own capabilities in such areas as countering anti-access and area denial, and the strengthening of our alliances and partnerships.

*Question.* What do you believe are the Chinese political-military goals in the Asia-Pacific region? Globally?

Answer. The overriding objectives of China's leaders appear to be to ensure the continued rule of the Chinese Communist Party, continue China's economic development, maintain the country's domestic political stability, defend China's national sovereignty and territorial integrity, and secure China's influence and status. Within this context, preventing any moves by Taipei toward de jure independence is a key part of Beijing's strategy. Within each dimension there lies a mix of important challenges and opportunities for the United States that will continue to deserve priority attention.

*Question.* What effect is China's military growth having on other countries in the region?

Answer. In terms of regional security, China's economic growth has increased China's international profile and influence, and has enabled China's leaders to embark upon and sustain a comprehensive transformation of its military forces. The pace and scale of China's military modernization, coupled with the lack of transparency, raise many questions, both within the United States and in the region as a whole, about China's future.

Other countries in the region are closely watching the growth of China's military, and how its military acts. China's military is working through the Association of South Asian Nations (ASEAN) Defense Ministers Plus structure to enhance regional cooperation on humanitarian assistance and disaster relief. At the same time, there have been worrisome incidents in disputed waters in China's neighboring seas that have caused concern in nations such as the Philippines and Vietnam. Security concerns regarding Chinese military intentions have contributed to a greater focus on regional forums, such as ASEAN, where issues may be addressed multilaterally;

such security concerns have also led to stronger and more welcoming relations with the United States as a security partner of choice.

*Question.* How do you assess the current cross-strait relationship between China and Taiwan, and how can we help prevent miscalculation on either side?

Answer. Both China and Taiwan have made significant strides to reduce tensions in the Taiwan Strait. These initiatives should be encouraged and we welcome progress made by both sides. I believe the United States can help contribute to cross-strait stability by continuing to abide by our longstanding policies, based on the one-China policy, three joint U.S.-China Communiqués, and the Taiwan Relations Act (TRA), including making available to Taiwan "defense articles and services in such quantities as may be necessary to enable Taiwan to maintain a sufficient self-defense capability". We are committed to our one-China policy and would oppose unilateral changes, by either side, to the status quo.

*Question.* How do China's efforts to establish a strategic presence in the Indian Ocean by securing and maintaining access to seaports in various South and Southeast Asian countries affect its political-military posture and influence in the region?

Answer. China looks to South and Southeast Asia as an area of strategic importance, which includes political objectives, access to resources, trade, and investment. With regard to South and Southeast Asian seaports, the important question is how China intends to use its presence. As China increases deployments to the region, including ongoing participation in counterpiracy activities in the Gulf of Aden, China will require greater forward logistical capabilities to sustain operations in that region. Yet in order to establish access to various seaports, China will encounter the same political issues the United States faces in maintaining our overseas access. This will require improving ties with states along the Indian Ocean littoral, closer cooperation with other regional navies, and will expose them to more nontraditional security challenges such as terrorism and piracy. The United States retains strong relationships in South and Southeast Asia and should continue to monitor China's growing presence in the region.

*Question.* What is the role of DOD in helping to ensure that China's nuclear power industry does not contribute to the proliferation of nuclear weapons in the region?

Answer. The Obama administration has reiterated that preventing the proliferation of WMD and delivery systems, along with related technologies and materials, is a key goal for the United States. I believe that DOD should work in the interagency process to ensure that any proliferation concerns relating to China are expressed to the Chinese Government in appropriate forums.

*Question.* Our military-to-military relations with the Chinese military have been modest, at best, and can be accurately described as "on again, off again." One thing that has hobbled U.S.-China military relations in recent years has been China's propensity for canceling or postponing military-to-military engagements in response to U.S. arm sales to Taiwan.

What is your assessment of the current state of U.S.-China military-to-military relations?

Answer. As President Obama stated in January 2011, the United States seeks a positive, cooperative, and comprehensive relationship with China. We continue to pursue opportunities to cooperate where there is mutual benefit while discussing areas where we may have differences in a frank and candid manner. Such dialogue can be especially important during periods of friction and turbulence.

I believe we should continue to use military engagement with China as one of several means to demonstrate U.S. commitment to the security of the Asia-Pacific region, to encourage China to play a constructive role in the region, and to press China to partner with the United States and our Asian allies and partners in addressing common security challenges.

*Question.* Do you believe that the United States should make any changes in the quality or quantity of our military relations with China? If so, what changes and why?

Answer. I believe that military exchanges with China can be valuable, but can only truly work if China is equally committed to open and regular exchanges. If confirmed, I would look for ways to deepen and enhance our military-to-military relationship with China, and to encourage China to act responsibly both regionally and globally.

*Question.* What is your view regarding the longstanding U.S. policy of selling defense articles and services to Taiwan despite objections and criticism from China?

Answer. U.S. policy on arms sales to Taiwan is based on the 1979 TRA, which provides that the United States will make available to Taiwan defense articles and services in such quantities as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. The Act also states that the President and Congress

shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan. That policy has contributed to peace and stability in the region for more than 30 years and is consistent with the longstanding U.S. calls for peaceful resolution of the Taiwan issue in a manner acceptable to the people on both sides of the Taiwan Strait.

*Question.* In your view, to what extent, if at all, should China's possible reaction to such sales be considered by the United States when making decisions about the provision of defense articles and services to Taiwan?

Answer. Our decisions about arms sales to Taiwan are based solely on our assessment of Taiwan's defense needs. The TRA states the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.

*Question.* By most accounts, China has become more assertive in its claims of sovereignty in various domains, including maritime, air and space. There are numerous examples of this assertiveness, but one in particular is China's increased aggressiveness in asserting its excessive maritime claims in the South China Sea. In one such incident, Chinese-flagged ships harassed the USNS *Impeccable*, a U.S. military ship conducting ocean surveillance in the international waters of the South China Sea. That incident underscored the nature of Chinese maritime claims and the Chinese sensitivity associated with U.S. Navy operations in these areas.

What role should the United States play in the ongoing maritime disputes in the South China Sea?

Answer. As the President stated clearly during his trip to Asia last November and as Secretary Panetta affirmed when he met with representatives from the ASEAN Defense Ministers meeting in October of last year, the United States is a Pacific nation with a national interest in freedom of navigation, open access to Asia's maritime domain, the maintenance of peace and stability, free and open commerce, and respect for international law, including in the South China Sea.

The United States does not take a position on the competing territorial claims over land features in the South China Sea, and I believe all parties should resolve their disputes through peaceful means and in accordance with customary international law, without resorting to the threat or use of force.

At the same time, the United States should continue to call upon all parties to clarify their claims in the South China Sea in terms consistent with international law. Consistent with international law, claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features.

*Question.* How does the presence of the U.S. Navy in the South China Sea influence this maritime dispute and, in your view, would an increase in U.S. activity in that region serve to stabilize or destabilize the situation?

Answer. The U.S. Navy is a key provider of the military presence that underlies peace and stability across the globe, including in the South China Sea. I believe it is essential for the U.S. Navy to maintain its presence and assert its freedom of navigation and over flight rights in the South China Sea in accordance with customary international law.

Preservation of the rights, freedoms, and uses of the sea depend largely upon their continual exercise. Around the world, U.S. military forces conduct operations to prevent excessive maritime claims asserted by coastal states from limiting our national interest in freedom of navigation. In the South China Sea, we have expressed our freedom of navigation interest for many decades, through diplomatic protests and operational assertions against excessive maritime claims asserted by several nations. Of note, we challenge excessive maritime claims asserted by any nation, including claims by allies and partners. Our military presence in the South China Sea includes Freedom of Navigation Operations, Sensitive Reconnaissance Operations, Special Mission Ship operations, and other routine military transits, operations, and exercises. The United States should sustain our military presence in international waters and uphold its commitments to its allies and partners in order to maintain peace and stability in the region.

*Question.* What should the United States do to help prevent dangerous encounters in the South China Sea?

Answer. To reduce the risk of conflict in the South China Sea, I believe the United States should continue to support initiatives and confidence building measures that will help claimant States reach agreement on a binding Code of Conduct in the South China Sea. Additionally, the United States should continue serving as a positive example of a nation that adheres to the international norms of safe conduct, through policy implementation, effective training, and proper accountability. The United States also continues to robustly exercise the Military Maritime Consultative Agreement with China as a positive bilateral mechanism to address operational safety issues in the maritime domain.

These include the international "rules of the road", such as the International Regulations for Preventing Collisions at Sea and other established international safety and communication procedures, such as the Code for Unalerted Encounters at Sea. The United States should also encourage all South China Sea claimants to abide by these norms of safe conduct to ensure greater operational safety and reduce the risk of dangerous incidents at sea.

*Question.* Cyber space has become a critical realm for civilian and military applications and also represents a potentially substantial vulnerability. There are reports that China is aggressively pursuing cyber warfare capabilities, and would likely seek to take advantage of U.S. dependence on cyber space in the event of a potential conflict situation.

What is your understanding of China's efforts to develop and deploy cyber warfare capabilities?

Answer. As with the United States and many other countries around the world, China fully understands the critical importance of cyber as an element of modern warfare. Chinese military writing clearly shows that China views itself at a disadvantage in any potential conflict with a modern high-tech military, such as that of the United States. To overcome this disadvantage, China is developing organizations and capabilities that are designed to reduce the perceived technological gap. This is done by increasing China's own military technological capability, and by building capability to target U.S. military space-based assets and computer networks using network and electronic warfare. The development of these wartime capabilities are the motivation for China's efforts at peacetime penetration of U.S. Government and industry computer systems. The theft of U.S. information and intellectual property is attractive as a low-cost research and development tool for China's defense industry, and provides insight into potential U.S. vulnerabilities. Overall, China's development in the cyber realm, combined with its other anti-access/area denial capabilities, imposes significant potential risk on U.S. military activities.

*Question.* If confirmed, what would you do to help ensure our military is protected in cyber space and prepared to defend against a cyber attack?

Answer. If confirmed, I would be sure to work with other parts of DOD and interagency partners to include the Departments of State, Homeland Security, and Commerce, to facilitate a coordinated approach to cyber threats, not only from China, but from any potential adversary. While an increased cyber defensive posture is important, it is not enough for us to build thicker walls and continue to absorb daily cyber attacks. Defense in itself will not deter our Nation's adversaries. We must work together as a government to not only defend, but also to impose costs on our adversaries to deter future exploitation and attack. These costs we impose cannot simply be symmetrical cyber activities; a cyber versus cyber fight is not sustainable in the long-term. As the President stated in his International Strategy for Cyberspace, we Reserve the right to use all necessary means—diplomatic, informational, military, and economic—as appropriate and consistent with applicable international law, in order to defend our Nation, our allies, our partners, and our interests against hostile acts on cyberspace. In so doing, we will exhaust all options before military force whenever we can.

*Question.* In January 2007, China used a ground-based missile to hit and destroy one of its weather satellites in an anti-satellite test creating considerable space debris and raising serious concerns in the international community. Since then, China has continued its active pursuit of missile and satellite technology.

What is your view of China's purposes for its pursuit of these capabilities?

Answer. In my view, this test was just one element of China's military modernization effort to develop and field disruptive military technologies, including those for anti-access/area-denial, as well as for nuclear, space, and cyber warfare. The United States' goal is to promote the responsible use of space.

*Question.* What do you see as the long-term implications of such developments for the U.S. military, for U.S. national security, and for U.S. interests in space?

Answer. Space systems are vital to our national security and our economy. In this regard, the United States should seek ways to protect our interests in space. U.S. space policies and programs should be informed by China's space and counter space capabilities, which have contributed to today's challenging space environment. I believe we need to enhance our deterrence and ability to operate in a degraded environment. At the same time, the United States should seek to engage China, a major space-faring nation, to promote the responsible use of space. However, our concern should not be focused on only one country, but on the range of actors that add to the increasingly congested, contested, and competitive environment in space.

*Question.* What are your views regarding the potential weaponization of space and the international agreements to prevent space weaponization?

Answer. I support the principles outlined in the 2010 National Space Policy, including that all nations have a right to explore and use space for peaceful purposes, and that all nations should act responsibly in space to help prevent mishaps, misperceptions, and mistrust.

Space is vital to U.S. national security and that of our allies and partners. I support our longstanding national policies of affirming the right of all nations to use outer space for peaceful purposes, the right of free passage through space, and the right to protect our forces and our Nation from those that would use space for hostile purposes.

TAIWAN

*Question.* Much of the recent discourse regarding Taiwan has involved the readiness and capacity of Taiwan's defensive military capabilities and the U.S. commitment to do what is "necessary to enable Taiwan to maintain a sufficient self-defense capability" as required by the TRA. In particular, much of the debate about how best to enhance Taiwan's current defensive capabilities has revolved around fighter aircraft and what air defense capabilities are most prudent and appropriate under the circumstances.

What is your view of U.S.-Taiwan security relations?

Answer. Our relations are guided by the TRA stipulation that we will make available to Taiwan defensive articles and services as necessary for Taiwan to maintain a sufficient self-defense capability. To that end we maintain military-to-military engagement with Taiwan.

*Question.* What do you believe should be the priorities for U.S. military assistance to Taiwan?

Answer. We closely monitor the shifting balance in the Taiwan Strait and Taiwan's defense needs. Given the rapid pace of PRC military modernization, I believe our priorities should include assisting Taiwan with its joint operations capabilities and training, streamlining, and integrating its existing defense programs to be more effective, and seeking innovative solutions to complement its traditional military capabilities.

*Question.* What is your opinion of the TRA? Enacted 33 years ago this year, do you see any need to modify the TRA to reflect the current state of affairs in the region? If so, how?

Answer. The TRA, which guides our unofficial relations with Taiwan, has been in force now for over 30 years and plays a valuable and important role in our approach to the Asia-Pacific region. As called for in the TRA, our longstanding policy to assist Taiwan with maintaining a sufficient self-defense capability helps ensure security and stability in the region. I would not recommend any changes to the law.

*Question.* Given the increasing military imbalance across the Taiwan Strait, do you think Taiwan is making appropriate investments in its defensive capabilities? If not, what is the best way to encourage Taiwan to invest more in its military?

Answer. Taiwan must ensure that it adequately resources its defense programs and defense transformation, to include looking at increasing its defense budget. I believe the best way to encourage Taiwan to invest more in its military is to send strong and consistent messages from the U.S. Government to Taiwan.

*Question.* What military capabilities do you believe would be most effective in improving Taiwan's self-defense capability over the next 5 to 10 years?

Answer. Capabilities that deter the PRC or increase the Taiwan military's survivability are critical. No less important, non-materiel solutions such as improved jointness, training, integration and innovative solutions will improve Taiwan's defense capability. Finally, one of the most cost effective solutions Taiwan can adapt from the U.S. military is to continue developing their NCOs and junior officers—an invaluable element of our past and future success.

*Question.* Do you think the United States should sell new F–16 C/D aircraft to Taiwan?

Answer. The recently announced F–16 A/B upgrades are similar in capability to new F–16 C/Ds and are an important and much needed contribution to the capabilities of Taiwan's Air Force. As Taiwan recapitalizes its air force, it must ensure its future air force is made more effective by being integrated into a joint construct, by ensuring that its air defense capability is survivable, and by seeking other innovative solutions to complement its traditional military capability.

If confirmed, this is an issue I will continue to evaluate in coordination with the rest of DOD.

NORTH KOREA

*Question.* Despite the death of long-time leader Kim Jong-Il, North Korea remains one of the greatest near term challenges to security and stability in Asia and deterring conflict on the Korean Peninsula remains a top priority. In fact, with the uncertainties associated with the ongoing leadership transition, upcoming challenges on the Peninsula may be even greater.

With the unexpected change in leadership in North Korea, what is your assessment of the current security situation on the Korean peninsula?

Answer. Following the death of Kim Jong Il, North Korea so far appears to be managing the leadership transition from father to son. On the surface, North Korea appears stable, and Kim Jong Un and his leadership is primarily focused on domestic matters. However, enduring U.S. and allied concerns—North Korea's past provocative behavior, large conventional military, proliferation activities, and pursuit of asymmetric advantages through its ballistic missile and WMD programs (including uranium enrichment)—present a serious threat to the United States, our allies and partners in the region, and the international community. The change in leadership in North Korea adds to our concerns as new variables have been added to North Korea's decision-making process.

*Question.* What is your understanding of the threats posed to the United States and our allies by North Korea's ballistic missile and WMD capabilities?

Answer. North Korea's potential use of WMD presents a serious threat. We must ensure our forces are prepared to respond and that North Korea is deterred from using WMD. North Korea has an ambitious ballistic missile program that poses a significant threat to the Pacific region. As witnessed in 2006 and 2009, North Korea continues to flight-test theater ballistic missiles—demonstrating the capability to target South Korea and Japan. North Korea also continues to develop the Taepo Dong-2 (TD–2), which Pyongyang claims to have tested in a space launch configuration but could also reach the United States if developed as an intercontinental ballistic missile (ICBM). Furthermore, North Korea continues to develop newer systems—including a solid propellant short-range ballistic missile and intermediate-range ballistic missile.

*Question.* What is your estimate of North Korea's threat of nuclear proliferation?

Answer. North Korea's continued proliferation efforts pose a significant threat to the Pacific region and beyond. It is a proven proliferator of ballistic missiles and associated technologies to countries like Iran—creating a serious and growing capability to target U.S. forces and our allies in the Middle East and assisted Syria in building a covert reactor in the early 2000s, which would have been capable of producing plutonium for nuclear weapons. As such, we continue to work with our allies and partners to build a regional capability to combat WMD.

*Question.* What concerns you most about North Korea and, if confirmed, what would you do to address those concerns?

Answer. North Korea maintains a large, offensively postured conventional military, continues to develop long-range ballistic missiles, seeks to develop nuclear weapons, and engages in the proliferation of ballistic missiles against international norms and law. North Korea has also conducted provocative attacks against the Republic of Korea. Most concerning about this range of threats is that they come from a single state standing on the outside of the international community. If confirmed as Commander, PACOM, I will drive intelligence to refine forecasts and warnings, sustain and advance our military readiness and coordination with allies and partners, and whether in lead or support, will both seek and welcome opportunities to apply all means of national power to affect North Korean behavior.

*Question.* The February 2010 Ballistic Missile Defense Review Report established a policy and program priority for defending against near-term regional ballistic missile threats, and elaborated on the Phased Adaptive Approach (PAA) to regional missile defense, including to defend against North Korean ballistic missile threats.

Do you support the missile defense policies and priorities established in the Ballistic Missile Defense Review, including the Phased Adaptive Approach to missile defense in the Asia-Pacific region to defend against North Korean regional ballistic missile threats?

Answer. Yes, the 2010 Ballistic Missile Defense Review provides the PACOM region with an integrated effort to strengthen regional deterrence architectures against North Korea. It aligns our defensive strategy, policies and capabilities to the strategic environment. The implementation of a PAA will strengthen defenses against North Korean missile threats to U.S. forces, while protecting allies and partners. PAA will enable regional allies to do more to defend themselves against a growing North Korean ballistic missile threat. It must be built on the foundation

of strong cooperative relationships with allies and appropriate burden sharing. Finally, it reinforces the defense of the Homeland.

REPUBLIC OF KOREA

*Question.* What is your understanding of the current status of the U.S.-South Korean security relationship?

Answer. In my view, the U.S.-Republic of Korea Alliance remains one of the cornerstones of U.S. strategy in the Asia-Pacific region and is as strong and viable today as it has ever been. This was most recently reaffirmed by the Secretary during participation in the Security Consultative Meeting in Seoul on October 28, 2011. Our security relationship is based on mutual commitment to common interests, shared values, continuous dialogue, and combined planning, ensuring a comprehensive strategic alliance.

*Question.* If confirmed, what measures, if any, would you take to improve this security relationship?

Answer. As I understand it, DOD and the Republic of Korea continue to work closely to realign U.S. forces on the Peninsula and to prepare for the transition of wartime operational control to the Republic of Korea by December 2015. If confirmed, I would support this continued realignment and the return of facilities that our forces no longer require. The United States is also working toward developing new command and control relationships with Korea, which will ensure that contingency plans remain appropriate to changing circumstances. Additionally, I believe it is important to ensure the U.S. and Korean publics continue to understand the enduring mutual benefits derived from this alliance, and that the United States effectively works with the Republic of Korea as it plays an increasing role in regional and global security issues commensurate with the Republic of Korea's economic status and influence. If confirmed, I would work hard to maintain close contact with Republic of Korea military leadership and to build upon the solid foundation developed to date to improve and transform this important security relationship.

*Question.* What is your view regarding the timing of the transfer of wartime operational control from the United States to South Korea, now planned for December 2015, and what will you do to ensure this transition takes place as planned?

Answer. I understand that the United States and the Republic of Korea have a comprehensive way forward to transition wartime operational control by December 2015. If confirmed, I will work with Republic of Korea military leadership to complete this process under the Strategic Alliance 2015 framework, ensuring the transition is implemented methodically that the combined defense posture remains strong and seamless.

*Question.* Do you support increasing the tour lengths of U.S. personnel assigned to the Republic of Korea to 2- or 3-year tours of duty and increasing the number of military and civilian personnel authorized to be accompanied by their dependents for these longer assignments? If so, how would you purport to implement such an increase in accompanied tours?

Answer. I understand tour normalization in Korea was designed to further our commitment to support our forward-stationed forces and family members. It was to be implemented on an "as affordable" basis and not according to any specific timeline. However, as Secretary Panetta has said, DOD is closely evaluating all spending. If confirmed, I will continue to thoroughly assess the cost of implementation and our proposed force posture to determine the best way forward.

*Question.* Are the costs associated with this policy change affordable in the current fiscal environment?

Answer. In the January 2012 Priorities for 21st Century Defense, the President announced a necessary rebalance toward the Asia-Pacific region. He also emphasized the importance of our existing alliances as providing a vital foundation for Asia-Pacific security. If confirmed, I will continue to assess the costs associated with this policy change and how they fit into our current fiscal environment.

*Question.* Do you believe that the security relationship with South Korea should remain focused on defense of the Korean Peninsula, or should U.S. forces stationed in Korea be available for regional or global deployments?

Answer. In accordance with the Mutual Defense Treaty between the United States and the Republic of Korea, U.S. presence on the Korean Peninsula serves to deter potential aggressors from taking hostile actions that would threaten the peace and security of the Republic of Korea. In my view, this presence has both deterred further war on the Korean Peninsula and contributed to the stability of the Northeast Asia region. The U.S.-Republic of Korea Alliance is transforming to ensure a capable and relevant forward presence for the future security environment. For U.S. forces in Korea, it is my understanding that the Strategic Alliance 2015 annex on

Force Management agreed at the 42nd Security Consultative Meeting in 2010 provides us flexibility for regional and global deployments, while assuring we will continue to meet our commitments to the safety and security of Korea. As Republic of Korea military forces have served and will continue to serve with the U.S. military in places off the Peninsula (e.g., Iraq, Afghanistan, and in the Gulf of Aden), I believe the U.S.-Republic of Korea Alliance will continue to serve an important role regionally and globally.

*Question.* What is your assessment of the security benefits of the force repositioning agreed to under the Land Partnership Plan and the Yongsan Relocation Plan and how does repositioning U.S. forces change the way they will operate on the Korean Peninsula?

Answer. The two plans work to consolidate and relocate U.S. forces from north of Seoul and from the Seoul Metropolitan area to locations south of Seoul, primarily U.S. Army Garrison Humphreys and Daegu. The movement of units and facilities to areas south of the Han River improves force protection and survivability, placing the majority of personnel and equipment outside of the tactical effective range of North Korean artillery. In addition, the move to a central location outside of Seoul provides efficiencies, reduces costs, contributes to the political sustainability of our forward presence, and improves military readiness on the Korean Peninsula.

*Question.* Is the relocation plan affordable?

Answer. The majority of costs associated with the Yongsan Relocation Plan will be paid by the Republic of Korea. Costs associated with the Land Partnership Plan will be shared between the Republic of Korea and U.S. and is affordable.

*Question.* Since the North Korean attacks last year—the sinking of the South Korea Navy ship *Cheonan* and the artillery attack on the South Korean island—South Korea has been adamant that it will responded "firmly" to the next such provocation. A main topic during recent U.S.-Republic of Korea Security Consultative Meetings was reportedly the Joint Operational Plan for responding to future North Korean provocations.

What is your understanding of the U.S. obligations in the event of an attack on South Korea by North Korea, and under what circumstances do you believe the U.S. Armed Forces should be committed to engage North Korean forces in response to an attack on South Korea?

Answer. My understanding is that, under the Mutual Defense Treaty, when the political independence or security of South Korea or the United States are threatened by external armed attack, the United States and South Korea will consult together and develop appropriate means to deter the attack. Given the pattern and future likelihood of North Korean provocations, the two sides should continue to consult closely so that responses are effective.

JAPAN

*Question.* How would you characterize the current U.S.-Japan security relationship?

Answer. The U.S.-Japan relationship is the cornerstone of security in East Asia. Japan is a valued ally and anchor of democracy and prosperity in the region. Our alliance has held fast through the turbulence of the post-Cold War, political turnover in Japan, and at times contentious trade disputes, and now stands poised as a truly global alliance. The United States and Japan are in the middle of a complicated realignment process that is part of a larger Alliance Transformation agenda that also includes a review of roles, missions, and capabilities to strengthen and ensure the relevance, capability, and cohesiveness of the alliance for the next several decades. In terms of our military-to-military relationship, the shared experience of U.S. and Japanese forces, working should-to-shoulder in response to the earthquake, tsunami, and nuclear crisis of last spring validated our continuing close cooperation and mutual respect.

*Question.* How does Japan's relationship with its regional neighbors, mainly China, North Korea, and South Korea influence the U.S.-Japan relationship?

Answer. I believe it is important for Japan to continue to maintain and further develop constructive relations with all of its neighbors. Japan and other East Asian nations can and should increase their security cooperation. Working with other U.S. allies and partners in the region, Japan can increase its contribution to peace, security, and prosperity throughout Asia and globally. Japan is a valued and essential partner in the Six-Party Talks process and in other important regional security architectures. Progress made to bolster trilateral security dialogues in Northeast Asia effectively links Japan, U.S., and South Korean approaches.

*Question.* What steps, if any, do you believe Japan ought to take to become a more active partner in security activities with the United States and in the international security arena?

Answer. Japan is already a strong security partner with the United States, and is increasingly contributing to international security activities; however, the changing security environment in Asia will present new challenges. The United States needs to continue to work with Japan to deal with these challenges, including greater interoperability between our Armed Forces at the strategic, operational, and tactical levels. If confirmed, I would encourage Japan's development of joint doctrine and organizations that will enhance Japan's ability to undertake complex missions to build security in East Asia. I would also encourage trilateral security cooperation with the Republic of Korea and with Australia, as these kinds of activities effectively strengthen the functional capacity of the emerging regional security architecture. Regarding international security activity, Japan has actively participated in combined counterpiracy operations in the Gulf of Aden, is participating in the United Nations Mission in South Sudan, and has been a significant donor to ongoing Afghanistan reconstruction. I believe participation in such international security operations are very positive developments, and would encourage future Japanese participation in such missions.

*Question.* What is your view of the United States-Japanese joint development of the Standard Missile-3, Block IIA missile defense interceptor, and of the overall program of cooperation between the United States and Japan on ballistic missile defense?

Answer. Ballistic missile defense cooperation with Japan is a success story for the alliance and has resulted in Japan's fielding of both sea and land-based missile defense systems. Japan is one of our most important ballistic missile defense partners and U.S.-Japan bilateral cooperation on ballistic missile defense plays an important role in supporting our common strategic objectives on defense. The SM3 Block IIA is an important cooperative program that will result in a significant increase in ballistic missile defense capability.

*Question.* Currently, the 2006 Roadmap Agreement between the United States and Japan links the closure of the Futenma Marine Corps Air Station on Okinawa and the movement of U.S. marines from Okinawa to Guam to the plan to build a Futenma Replacement Facility (FRF) at Camp Schwab on Okinawa. The plan to build the FRF has run into difficulties and, as a result, the closure of Futenma and the movement of marines remain uncertain.

What is your opinion of the prospects for the successful construction of the FRF at Camp Schwab on Okinawa?

Answer. I believe that the Government of Japan (GOJ), like the U.S. Government, remains committed to the principles of the 2006 Realignment Roadmap, and although both governments have acknowledged that the FRF will not be constructed by 2014, as originally planned, there appears to be incremental but positive movement towards the construction of a replacement facility at Camp Schwab. The GOJ submission of the environmental impact statement to the prefectural Government of Okinawa in December 2011 was a necessary and politically significant step forward. The U.S. Government is committed to working with the GOJ in taking the next step prior to the start of construction, securing the Governor's approval for the landfill permit.

*Question.* Is the cost-sharing arrangement between the United States and Japan to pay for the relocation of U.S. forces from Okinawa to Guam and to cover the costs associated with the continued presence of U.S. forces in Japan equitable and appropriate? Why or why not?

Answer. I believe the cost-sharing arrangements with the GOJ to be among the best we have. Under the terms of the 2006 Realignment Roadmap and the 2009 Guam International Agreement, Japan committed to providing up to $6.09 billion (in fiscal year 2008 dollars) for the relocation of marines to Guam. For the GOJ this was an unprecedented step, funding the construction of facilities for the use of U.S. Forces on U.S. sovereign territory. To date, the GOJ has provided $834 million towards fulfillment of that commitment. For relocations within Japan, the GOJ is paying the lion's share of the costs to develop new facilities. In April 2011, we entered into a new, 5-year host nation support agreement with Japan that maintained the overall level of support we receive from Japan for labor and utilities, while for the first time putting a floor on the amount the GOJ provides for facilities construction.

*Question.* How, in your view, does building a new airfield on Okinawa, one that is opposed by a large segment of the population on Okinawa and could take 7 to 10 years to finish at a cost of at least $3.6 billion, serve to improve the U.S.-Japan relations in general and the U.S. military-Okinawa relations in particular?

Answer. The Government of Japan and the United States agreed to construct a FRF at Camp Schwab, in conjunction with reducing the number of U.S. Forces on Okinawa and consolidating U.S. basing on the island. FRF will enable the closing of Marine Corps Air Station Futenma, which is located in a very densely populated portion of Okinawa. At the same time, the plan preserves U.S. Forces' ability to meet our security commitments to Japan, in accordance with the Mutual Security Treaty. Thus, when fully executed, this new force posture will improve U.S.-Japan relations in general and the U.S. military-Okinawa relations in particular.

INDIA

*Question.* What is your view of the current state of the U.S.-India security relations?

Answer. A close, continuing, and expanding security relationship with India will be important for security and stability in Asia and for effectively managing Indian Ocean security in the 21st century. The United States and India have a range of common security interests that include maritime security, counterterrorism, and humanitarian assistance and disaster relief. Over the past decade, there has been a rapid transformation in the U.S.-India defense relationship. What was once a nascent relationship between unfamiliar nations has evolved into a strategic partnership between two of the preeminent security powers in Asia. Today, U.S.-India defense ties are strong and growing, including a robust slate of dialogues, military exercises, defense trade, personnel exchanges, and armaments cooperation. Efforts over the past 10 years have focused on relationship-building and establishing the foundation for a long-term partnership. The strong ties between our two militaries reflect this. The United States remains committed to a broad defense trade relationship that enables transfers of some of our most advanced technologies to assist India's military with its modernization efforts. Having said this, India has a long history of non alignment and is firmly committed to its policy of strategic autonomy. The continued growth of our partnership should be focused on working closely on common interests in a true partnership, rather than attempting to build a U.S.-India bilateral alliance in the traditional sense.

*Question.* If confirmed, what specific priorities would you establish for this relationship?

Answer. India is essential to achieving long-term U.S. goals for regional economic development, security and stability, and wide-ranging cooperation to counter extremism and radicalization. If confirmed, I believe our priorities for this relationship should focus on increasing maritime security cooperation, expanding the military-to-military relationship, and deepening cooperation on defense trade and production. I believe there is potential for cooperating on counterproliferation, collaborating on humanitarian assistance and disaster response, countering piracy, cooperating on counterterrorism, greater intelligence sharing on common threats, and working towards stability in Afghanistan and the broader Indian Ocean region.

*Question.* What, in your view, is the effect on DOD interests, if any, of the civil nuclear cooperation agreement with India?

Answer. The civil-nuclear cooperation agreement was a landmark agreement that significantly transformed the U.S.-India bilateral relationship. The agreement deepened the level of trust between the United States and India and will have positive effects on DOD interests leading to greater military-to-military cooperation and increased defense trade. Successful implementation of this agreement will serve to deepen U.S.-India ties.

*Question.* What is your assessment of the relationship between India and China and how does that relationship impact the security and stability of the region?

Answer. The current relationship between the region's two fastest growing powers, India and China, is complicated by a trust deficit stemming from China's longstanding relationship with Pakistan, India's defeat in the 1962 Sino-Indian war, and increasing competition for resources. The ongoing border dispute, trade imbalances and competition for influence across South and Southeast Asia complicate efforts to reduce the mistrust. Regional states exploit the competitive Sino-Indian relationship, seeking favorable aid packages from New Delhi and Beijing to enable their own development. New Delhi and Beijing do find common ground and cooperate in international forums such as BRICS, the G20, and in Climate Change Conferences where both countries leverage their convergent interests to shape international trade rules to ensure their continued domestic development and economic growth.

*Question.* What do you believe the United States should do to assist the Indian Government in the prevention of and response to terrorist events in India?

Answer. As the world's largest democracy, I believe India is a critical strategic partner of the United States. Both India and the United States share a strong inter-

est in preventing terrorism. The United States can continue to work with the Government of Pakistan to take effective action against groups based in Pakistan that advocate and actively participate in attacks against India. As to capacity building, counterterrorism efforts in India are primarily a Ministry of Home Affairs responsibility that employs domestic intelligence assets in conjunction with police and paramilitary forces. Therefore, counterterrorism cooperation with India is through a whole-of-government approach led by the Departments of State (via the Counterterrorism Cooperation Initiative) and Homeland Security (via the Homeland Security Dialogue), with support from the Department of Justice and DOD. If confirmed, I will work with the Office of the Secretary of Defense in support of this whole-of-government approach to address counterterrorism efforts with India in the areas they request support or seek to expand the relationship.

*Question.* What is your assessment of the current relationship between India and Pakistan?

Answer. India and Pakistan have a long and complex history characterized by animosity, mistrust, and conflict. Support by elements of Pakistan's military and intelligence services for violent extremist organizations targeting India strains the relationship; this support has the potential to result in military confrontation which could rapidly escalate to a nuclear exchange. Current efforts at dialogue have yielded few concrete results on the core security issues, especially regarding the resolution of territorial disputes; however, the efforts have provided each side greater insight into the other's positions. While progress is slow, the trajectory is positive and offers the promise of increased confidence-building measures.

*Question.* In your view, what impact has the ongoing tension between Pakistan and India had on the stability of Central and South Asia generally, and on the prospects for lasting security in Afghanistan?

Answer. India's actions in South and Central Asia generally align with U.S. goals—increasing economic growth and political stability through strengthened democratic institutions, and developmental assistance to help prevent radicalization. Regional stability depends on cooperation among India, Pakistan, and Afghanistan. Transparency in the India-Afghanistan and Pakistan-Afghanistan bilateral relationships is critical to reduce misunderstanding and mistrust between India and Pakistan. The ongoing transition of lead responsibility for security in Afghanistan to Afghan forces and the strategic partnerships Afghanistan has been negotiating with the United States and other international partners are important steps toward demonstrating long-term commitment of the international community, addressing conditions that create uncertainty, and stabilizing the region.

REPUBLIC OF THE PHILIPPINES

*Question.* What is your view of the current state of U.S.-Philippine military relations?

Answer. The Philippines is one of the United States' five treaty allies in the Pacific and remains a committed security partner facing regional challenges characteristic of current geostrategic realities. Our alliance is strong and is the foundation of our security partnership. The U.S. military-to-military engagement with the Philippines is mature and focused, allowing the Philippines security forces (military, coast guard, and police) to better address security needs as evident by enhanced counterterrorism performance, expanded maritime security activities, increased multilateral engagement, and effective participation in UN Peacekeeping operations.

*Question.* What do you believe the U.S. goals should be in the Republic of the Philippines and how best can we achieve those goals?

Answer. The primary goal of the United States should be to strengthen the alliance with the Philippines and assist them in building and maintaining the capabilities of their security forces. Our alliances in the Pacific, such as what we have with the Philippines, are the bedrock of U.S. security strategy within the region as we face common threats. A Philippines that is capable of mitigating terrorist threats, providing a secure maritime environment that ensures freedom of navigation within its sub-region, and leading multilateral approaches towards regional peace and stability will enable it to fulfill its treaty obligations to the United States, directly benefit U.S. interests in the Asia-Pacific region, and contribute to regional security and stability.

*Question.* What is your assessment of U.S. military efforts in the Philippines and the effectiveness of the U.S. assistance being provided to the Philippine military in its fight against insurgent groups?

Answer. U.S. military efforts and assistance in the Philippines are in support of the U.S.-Philippines Mutual Defense Treaty to which both sides are committed. The United States, however, does not assist the Philippines in its fight against insurgent

groups, e.g. the New People's Army and the Moro Islamic Liberation Front. The Philippines was the first country in Asia to support the United States after September 11 in fighting terrorism. In this regard, U.S. military assistance is focused on helping the Philippines fight terrorism by assisting with the development of skill sets that are no different than those needed to adequately help and protect its civilian populations. It is the Philippine Government's prerogative to assert its capabilities and resources where needed in conducting its internal security operations.

*Question.* Do you anticipate a reduced U.S. military footprint or change in mission for U.S. military forces in the Philippines in the near- to mid-term?

Answer. The United States and the Philippines are discussing arrangements that will allow greater flexibility for U.S. and Philippine security forces to train and work together. This may, on a rotational basis, increase U.S. military engagement with the Philippines in the near to mid-term.

*Question.* What policy guidelines, if any, would you establish, if confirmed, to ensure that U.S. personnel do not become involved in combat or law enforcement in the Republic of the Philippines?

Answer. Current U.S. guidelines in place for the conduct of U.S. forces in the Philippines adequately address the roles and responsibilities of our military forces. All U.S. military personnel are in the Philippines under the Philippines-U.S. Visiting Forces Agreement and operate under the auspices of the U.S.-Philippines Mutual Defense Board and Security Engagement Board.

Their activities, which will always be in consultation with, and agreement by, the Philippine Government, are limited to conducting Humanitarian Assistance and Disaster Response; assisting Philippine security forces improve their capacity and capability including training and upgrading equipment; and supporting Philippine counterterrorism operations through activities such as intelligence fusion, and sustainment support. Additionally, U.S. forces are prohibited from engaging in combat without prejudice to their right of self defense.

INDONESIA

*Question.* Indonesia is a key Asian power and is the largest Muslim country in the world. Consequently, it is important to build on opportunities to improve and expand U.S. relations with Indonesia where possible. In July 2010, Secretary Gates announced that DOD intended to resume working with elements of the Indonesian Special Forces, known as Kopassus. DOD engagement with Kopassus had been suspended for more than a decade because of past human rights violations by some of its members.

What is your view of the current state of military-to-military relations with Indonesia and, specifically, Kopassus?

Answer. In 2010, Presidents Obama and Yudhoyono inaugurated the U.S.-Indonesian Comprehensive Partnership. A key element of this broad partnership is the security component. Our defense relationship with Indonesia—a pivotal country to U.S. national interests—is managed through the Defense Framework Arrangement and facilitated through several forums and mechanisms. Our military-to-military relations with Indonesia are robust and continue to progress and mature, with over 140 theater security cooperation activities scheduled for this fiscal year. These security cooperation engagements include a wide range of activities focused on four main areas of emphasis: Humanitarian Assistance/Disaster Relief, Peace Keeping Operations, Maritime Security and continued professionalization/reform of the Indonesian Defense Forces (TNI). Beginning with the normalization of military-to-military relationship in 2005, engagements have increased in number and evolved from initial small-scale bilateral exchanges into more complex bilateral and multilateral activities.

In addressing the current state of military-to-military relations with the Indonesian Army Special Forces (known as Kopassus), it is worth noting that this unit has undergone a near-complete transformation over the past decade and is at the forefront of TNI professionalization and adherence to human rights standards. Following a 12-year hiatus in bilateral activities, at the direction of then Secretary Gates, PACOM established a measured and gradual program of security cooperation activities with Kopassus. These security cooperation activities have consisted of key leader engagements and small-scale subject matter expert exchanges in areas such as military decision making, medical planning, law of war, and safeguarding human rights. I expect future activities of this type to continue and gradually expand at a pace commensurate with the demonstrated progress in TNI transparency and reform efforts. Chief among these reform efforts are the fulfillment of commitments made by Indonesian leaders to then Secretary Gates in 2010 to continue to safeguard human rights and accountability throughout the Indonesian military through

the unequivocal investigation and prosecution of those military personnel accused of human rights abuses and, if convicted, their removal from Military Service.

*Question.* What is your understanding of the extent to which the Indonesian Government is cooperating with the United States in the war on terrorism?

Answer. Based on my current understanding, the Government of Indonesia has cooperated closely and effectively with the United States and our partners in combating global terrorist networks in the region. The Government of Indonesia has shown tremendous success in arresting and convicting terrorists. Additionally, Indonesia has leveraged its leadership role within the Association of Southeast Asian Nations (ASEAN) by electing to co-chair the Executive Working Group on Counterterrorism with the United States in the ASEAN Defense Ministers Meeting Plus forum. This initiative seeks to encourage greater regional counterterrorism cooperation, reinforce military support to civil authorities, build capacity and collectively address regional security issues in an open consultative forum.

*Question.* Do you favor increased U.S.-Indonesian military-to-military contacts? If so, under what conditions? Why?

Answer. If confirmed, I would support increased military-to-military contact within the context of the Comprehensive Partnership, guided by close consultation with the Departments of State and Defense, and within the boundaries of existing legal mechanisms. I believe close military-to-military relations with Indonesia are integral to achieving numerous stated U.S. national interests in the region. I also believe that one of the most effective methods for encouraging reform is through interaction between Indonesian and U.S. servicemembers. Regardless of their mission, any interactions with U.S. servicemembers reinforce professional military practices, to include respect for human rights and the rule of law. Increased interactions facilitate greater understanding and reinforce professional values.

*Question.* What is your understanding of the factors that informed the decision to re-engage with Kopassus members?

Answer. It is my understanding that the decision to begin a measured and gradual re-engagement with Kopassus within the limits of U.S. law was intended to acknowledge the significant progress made by the TNI over the past decade and encourage continued reform within the TNI. Essential to this decision to move ahead with Kopassus were the commitments made by the Government of Indonesia to protect human rights and advance TNI accountability.

*Question.* What is your view of the commitment of the Indonesian military leadership to professionalization of its armed forces, adhering to human rights standards, improving military justice, and cooperating with law enforcement efforts to investigate and prosecute those military personnel accused of human rights abuses?

Answer. Indonesian defense reform progressed at a rapid pace after the resignation of President Suharto in 1998, with the separation of the police from the military, the elimination of formal political roles for the TNI, increased accountability, and the establishment of widespread human rights training initiatives. While reform efforts appear to have slowed, they have notably not reversed. According to several public opinion polls, the TNI enjoys the respect of the majority of the Indonesian populace. In fact, TNI often is the most respected of government institutions. This is a concrete indicator of progress. Continued reforms that the United States should continue to encourage include accountability for past human rights abuses, strengthening civilian control and oversight of the military, and continued professionalism of the TNI officer corps.

*Question.* If confirmed, what would you do to encourage respect for human rights and accountability in the Indonesian military?

Answer. If confirmed, I would support TNI's continued progress by encouraging senior Indonesian leaders to fulfill their stated commitments with particular emphasis on accountability, transparency and respect for human rights. We can accomplish this through bilateral security discussions, joint training, military assistance, including military training programs. I view U.S. interaction with TNI counterparts as an effective, indeed essential, method to encourage professionalism and continued reform within the Indonesian military.

BURMA

*Question.* Recent developments in Burma suggest that the government may be willing to take steps toward meaningful reform.

What is your understanding of the current security situation in Burma and, if confirmed, what would be your approach toward Burma?

Answer. While there have been very encouraging signs of reform and positive government intentions, Burma still faces many challenges in its road to reform, and there are still many obstacles in the U.S.-Burma relationship that must be over-

come. The Department of State remains the lead agency in all U.S. engagement with Burma.

OPERATIONAL ACCESS AND FREEDOM OF ACTION

*Question.* Much has been made in recent years of the development of anti-access/area denial capabilities of certain countries, and the impact such capabilities might have on the United States' freedom of action and ability to project power.

What is your understanding of the emerging challenges associated with anti-access and area denial strategies in the Asia-Pacific?

Answer. As discussed in the Defense Strategic Guidance released in January, "China will continue to pursue asymmetric means to counter our power projection capabilities." This would include PRC pursuit of anti-access/area denial strategies. The United States maintains robust regional and global power projection capabilities that provide a full range of options to succeed in defense of national interests and of our allies. To this end, if confirmed, I will work closely with OSD and the Services in support of policy and programmatic inputs based on assessed operational risk, to ensure we have the ability to project power throughout the theater and preserve the capabilities necessary to maneuver within it.

*Question.* The Joint Operational Access Concept (JOAC) released on January 17 this year broadly describes the Chairman of the Joint Chiefs of Staff's intent for how joint forces will respond to the operational challenges associated with potential adversaries' anti-access and area denial capabilities.

What, in your view, is the JOAC's contribution to better understanding and dealing with the challenges of military operations in the PACOM AOR?

Answer. The JOAC's primary contributions are illuminating the variety of challenges for which U.S. forces must be prepared across an increasingly diverse and rapidly evolving set of domains—air, sea, land, space, and cyber—and identifying Cross-Domain Synergy as the central tenet for addressing these challenges in order to assure operational access.

*Question.* The JOAC identifies 33 capabilities required for its implementation, but this list of capabilities is not exhaustive nor is it prioritized.

In view of the PACOM mission, how would you prioritize the required capabilities listed in the JOAC and what capabilities, if any, would you add?

Answer. Because achieving unity of effort at all echelons within the U.S. Armed Forces is central to Cross-Domain Synergy, I would prioritize capabilities required for situational awareness and command and control, especially across domains. I would add the capability to develop, exercise, and validate potential lines of operation across the Government as a whole during pre-, post- and ongoing hostility phases in a manner that complements military activities.

*Question.* What new technologies would you suggest DOD pursue in order to develop or improve these capabilities?

Answer. In general, I would suggest pursuit of technologies that improve situational awareness, command and control, and interagency coordination.

*Question.* With respect to air, sea and land capabilities, some proponents of the "air-sea battle" concept appear to de-emphasize ground combat forces.

Answer. This concept looks at ways to improve our inter-Service coordination and ability to counter developing challenges but it does not discount the contribution of ground forces.

There are numerous potential operations in the PACOM AOR that could require ground forces. Decisiveness in an operation or campaign still requires the credible threat of land combat forces that can physically threaten an adversary, seize and/or hold ground.

*Question.* What are your views on the requirement for land forces before, during, and after operations to gain and maintain assured access?

Answer. Land forces are necessary for all phases of an operation, including peacetime, steady-state. Most notably, in Phase 0 Shaping, land forces are critical to tangibly demonstrating U.S. commitment to allies and partners as well as resolve to potential adversaries. Land forces, as an integrated part of the joint force, engage with allies and partners in the region to influence, train with, and improve the capabilities and integration of those capabilities enabling allies and partners to better defend themselves against aggression. Ground forces allow rapid and effective response, not only to conflict, but also to natural disasters and humanitarian crises. A recurring theme in U.S. military engagement is that, while our peer competitors may provide money in an attempt to buy influence, most militaries identify with and attempt to emulate the United States in doctrine, professionalism, and values. This is principally due to the one-on-one contact and influence that our soldiers,

sailors, airmen, marines, and coast guardsmen have with their counterparts of all ranks in exercises and training events throughout the year.

During conflict, we must be able to credibly project ground forces in a maritime environment consisting of numerous islands, archipelagoes, and littoral population centers. Expeditionary land forces provide indispensible capabilities which complement our navy and air forces in the region. Land force headquarters and staffs also provide a Joint Task Force command and control capability that is necessary to pursue multiple operations simultaneously, a necessity for a region that spans 51 percent of the globe. If conflict arises, these same ground forces would be called on to not only make gains but consolidate those gains in the aftermath.

*Question.* What, in your view, are the required size and capabilities for ground combat forces in the Pacific region, and what capabilities, if any, may be needed to improve their effectiveness?

Answer. The President's new Strategic Guidelines now clearly establish the Asia-Pacific as the strategic focus. As we assess our increased commitment to the region, the Department will more precisely determine the required size and capabilities necessary for ground combat, and other forces.

Broadly speaking, however, we can categorize potential needed improvements in basing, mobility, and technologies.

- Traditionally, basing focused on threats in Northeast Asia. Adequate basing throughout Asia is necessary to address the whole of the region.
- The vastness of the Asia-Pacific means that forces throughout the region must have adequate mobility in the form of sealift and air transportation to allow them to engage, train, and respond to disasters in Phase 0, as well as to fight during contingencies.
- Given the vastness of the region, deployment of technologies in the form of Intelligence, Surveillance, and Reconnaissance (ISR) assets that allow timely and continuous situational awareness are required. This enables the rapid and focused application of limited resources to the point of necessity. Movement of men, weapons, and equipment is measured in days and weeks in the Pacific theater. Area denial systems and tactics make that even more difficult without the technologies to observe and accurately assess the actions of potential adversaries.

HIGH ALTITUDE TRANSITION PLAN

*Question.* DOD, under the High Altitude Transition (HAT) Plan, intends to retire the U–2 ISR fleet in the middle of this decade and replace these aircraft with the Global Hawk RQ–4. Under the HAT Plan, the RQ–4s will apparently be a PACOM-wide asset, flying missions throughout the region, whereas the U–2s have been dedicated to supporting U.S. and Korean forces on the Korean peninsula. The United States and Republic of Korea have been considering a Republic of Korea purchase of the Global Hawk aircraft through the Foreign Military Sales (FMS) process. If this FMS case were to proceed, much but not all of the impact of U–2 retirement would be mitigated, but either way the level of airborne ISR available on a day-to-day basis in Korea may well be diminished.

In your assessment, is the possibility that the level of airborne ISR available on a day-to-day basis will be diminished a concern, or are there other means to compensate for the retirement of the U–2?

Answer. The possibility of diminished ISR capacity in PACOM is a concern. As the Defense Strategic Guidance shifts focus toward the Asia-Pacific region, I expect that PACOM ISR requirements will grow. While we depend on our allies and partners to contribute to our ISR in the region, the U–2 is a unique platform with capabilities that cannot currently be duplicated by other collection platforms.

*Question.* If the sale does not go through, how would you propose that the United States sustain required levels of airborne ISR support on the Korean peninsula?

Answer. If the FMS process were curtailed, if confirmed, I would closely consider recommendations keeping the U–2 on the Korean peninsula until a similar capability is fully operational. The U–2 provides USFK a deep look multi-intelligence collection capability that supports both U.S. and Republic of Korea daily intelligence requirements. However, without FMS to the Republic of Korea, PACOM's strategic flexibility to respond to requirements outside the Korean peninsula may be limited.

*Question.* What will happen if Global Hawk is cancelled or curtailed as part of the budget process?

Answer. If Global Hawk is divested, I am concerned about how the impact of losing these platforms translates into an overall reduction of available ISR worldwide. The removal of these assets would likely result in a rebalancing of global assets that could translate into a decrease of ISR capacity in the Pacific Theater. Furthermore,

the second order effect from such a decision has the potential to impact critical strategic relationships with our allies and partners. Given the Defense Strategic Guidance's increased focus toward the Asia-Pacific, any potential reduction of ISR capacity warrants detailed assessment.

UNITED NATIONS PEACEKEEPING OPERATIONS

*Question.* A number of the Nations in the PACOM AOR contribute large numbers of police and troops to multilateral peacekeeping operations.

What role, if any, do you believe PACOM should play with regard to engaging the troops from Asia-Pacific nations which contribute to peacekeeping missions?

Answer. If confirmed, I will continue engagement with Asia-Pacific nations in regards to peacekeeping contributions. This is another venue for military-to-military cooperation that allows us to increase partner capacity in military capability, professionalism, and increased awareness of human rights issues such as the protection of civilians in a U.N. mission area. It is in our best interest that countries contributing peacekeepers provide quality troops that are capable, respected, and have the requisite tactical and technical ability, and will enforce the U.N. mandate of that particular mission.

COUNTERPIRACY OPERATIONS

*Question.* Since January 2009, the U.S. Navy has been patrolling the waters of the Gulf of Aden and off the coast of Somalia as part of the international coalition engaged in counterpiracy operations. Even before our engagement off the coast of Somalia, DOD worked with our Asian partners to address piracy in Southeast Asia, including the Strait of Malacca.

What is your understanding of the current threat of piracy in the Asia-Pacific region?

Answer. Piracy in the PACOM AOR exists in the Strait of Malacca and South China Sea. Somali-based piracy also migrates eastward to the PACOM AOR across the Indian Ocean to the vicinity of India and the Maldives.

*Question.* What role, if any, should PACOM play in countering piracy in the Asia-Pacific?

Answer. Continued PACOM focus on enabling Asian partners to be successful in counterpiracy efforts through education, training, and exercises is vitally important. Current efforts are focused on employing resources via partner nation engagement to increase the effectiveness ally and partner nation forces as well as continuing development of information sharing to locate, isolate, and defeat piracy as it surfaces within the AOR. This process of developing the capabilities of our Asian partners proved very effective in reversing the piracy threat within the Strait of Malacca.

COMBATING TERRORISM

*Question.* Last year, the administration released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked groups "that continue to emerge from beyond its core safe haven in South Asia."

If confirmed, what would be your role within DOD with respect to counter terrorism?

Answer. If confirmed, PACOM will continue highly successful "by, with, and through" approaches to counterterrorism that have produced measurable success in the Asia-Pacific region. These efforts rely on a capacity, capability, and network building approach that emphasizes working together with regional host nation partners, other U.S. Government agencies, and key allies, such as the Australians, to deny al Qaeda, adherents, affiliates, and associated forces the ability to operate in the region.

*Question.* What do you believe is the terrorism threat from al Qaeda and affiliated groups in the Asia-Pacific region?

Answer. The threat of attack by al Qaeda, its affiliates, and like-minded groups and individuals against U.S. and partner nation interests in the PACOM AOR is still a serious concern. The possible re-emergence of other terrorist organizations, like Jamaah Islamia and the Abu Sayaaf Group, that have been weakened but not defeated by the counterterror efforts of our allies and partners could quickly affect the security and stability of the Asia-Pacific region. Other decentralized groups and individuals ideologically linked to al Qaeda, as well as organizations based primarily outside the PACOM AOR like Lashkar-e-Tayyiba, desire to support their agendas by conducting destabilizing attacks inside the region. Additionally, al Qaeda affili-

ated groups operate in the PACOM AOR using facilitation networks that support threats to U.S. interests throughout the world.

*Question.* Is there a nexus between terrorist groups and criminal networks in the Asia-Pacific?

Answer. Yes, there is a nexus and it is a serious impediment to regional stability. Transnational crime and terrorism thrive on common enablers such as illicit transportation networks, weapons trafficking, corruption, trafficking in persons, counterfeiting, and movement of money to support nefarious activities. These threats impact political, social, and economic systems by eroding the rule of law and undermining the legitimacy of governments and institutions.

*Question.* In Southeast Asia, most notably in the Philippines and Indonesia, U.S. engagement with partner nations has helped combat violent extremist ideology and activities. The integration of operations by host nation security forces with U.S. capacity building, development, and information support operations has dramatically reduced the ability of violent extremist organizations to operate.

What more can the United States do in Southeast Asia to help combat the threat of terrorism perpetrated by violent extremists?

Answer. The United States should sustain current engagements with individual nations in the region and continually look for opportunities to assist with ally and partner efforts. Additionally, we should foster multilateral efforts, specifically through organizations like the Association of Southeast Asia Nations (ASEAN), to build regional networks that deny transnational violent extremist and global terrorist facilitation networks the ability to operate within or through Southeast Asia.

*Question.* Which Southeast Asian countries are most important in the fight against terrorism in that region and what should the United States do to enhance relations with those countries?

Answer. Even though Indonesia and the Republic of the Philippines have seen tremendous counterterrorism successes, they remain vulnerable to violent extremism through radicalization and recruitment and are potential terrorist safe havens. Additionally, Malaysia and Thailand have been used as facilitation hubs by violent extremist organizations that operate across the region. On behalf of the U.S. effort, PACOM should maintain its robust presence and continue its "by, with, and through" engagement strategy in Southeast Asia.

SECTION 1208 OPERATIONS

*Question.* Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent legislation, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of the overall effectiveness of this authority?

Answer. It is my understanding that section 1208 funding is most effective in the CENTCOM AOR, and currently limited in its application in PACOM. I understand it is an extremely effective authority and if confirmed, I will work with DOD to identify any potential requirements appropriate for using 1208 authority.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

*Question.* On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support CN operations, build the capacity of certain foreign governments in Asia and around the globe, and analyze intelligence on CN-related matters.

What is your understanding and assessment of the DOD CN program?

Answer. DOD Counternarcotics and Global Threats program is a capabilities-based, mission-focused, fully integrated effort that provides a comprehensive structure to support U.S. Government agencies principally responsible for securing the health and safety of U.S. citizens. These agencies strive to effectively disrupt and degrade national security threats posed by drug trafficking, transnational organized crime, threat finance networks, piracy, and any potential nexus among these activities.

Drug trafficking and associated organized crime are multidimensional threats. In addition to the impact on our Nation's public health and economy, drug trafficking, and other forms of transnational organized crime provide a funding source for terrorists and insurgents, undermine legitimate government institutions, and contribute to international instability.

Joint Interagency Task Force West (JIATF West) executes PACOM's CN program. Funded with approximately $30.4 million out of the CN budget, JIATF West focuses their efforts on Asian, Iranian, Eurasian and other transnational criminal organiza-

tions that operate within the PACOM AOR while also conducting detection and monitoring of illicitly trafficked Asian-sourced precursor chemicals used for the production of methamphetamine, particularly precursor chemical shipments to the Western Hemisphere.

*Question.* What is your understanding of the illegal narcotics industry in Asia?

Answer. Methamphetamine produced using diverted precursor chemicals, heroin trans-shipment through Asia, poppy cultivation, and potential narco-terrorist funding remain the principle drug threats to the United States from the Asia-Pacific region.

Methamphetamine precursors produced in Asia are the primary source of required chemicals used to produce methamphetamine trafficked to the U.S. Southwest Border violence is fueled by the Mexican Cartel's battle to control this market.

South and Southeast Asia have become increasingly attractive as bases for drug trafficking organizations' production and smuggling operations. Several Asian and Pacific nations have experienced an increase in the production, trans-shipment, trafficking, and consumption of narcotics in recent years.

JIATF West's detection and monitoring efforts support U.S. and partner nations' law enforcement agencies in combating this threat. In fiscal year 2011, their interagency collaborative efforts resulted in the seizure of over 1,000 metric tons of meth precursor chemicals bound for the Western Hemisphere and were critical in interrupting distribution to U.S. markets while contributing to the disruption of Asian and Mexican drug trafficking organizations. Conservatively, 1,000 metric tons of precursors equate to approximately 220 metric tons of methamphetamine with a street value of $23.2 billion.

*Question.* What role, if any, should DOD play in countering—either directly or and with our Asian partners—the illegal narcotics industry in Asia?

Answer. I believe the current DOD role is appropriate. The Department serves as the single lead agency for the detection and monitoring of aerial and maritime trafficking of illicit drugs flowing toward the United States. In addition, DOD plays a critical role in supporting U.S. and foreign law enforcement agencies responsible for counterdrug and drug-related activities, primarily through information sharing and building partner nation security capacity. In cooperation with the U.S. interagency and foreign partners, DOD conducts activities to detect, disrupt, and dismantle drug-related transnational threats in Asia and the Pacific.

LAW OF THE SEA

*Question.* Do you support U.S. accession to the United Nations Convention on the Law of the Sea? If so, why?

Answer. I support U.S. accession to the Law of the Sea Convention. It is in the enduring interests of the United States to be at the forefront of promoting the rule of law, including in the world's oceans. U.S. accession to the Convention would send an additional, clear signal to the world that we remain committed to advancing the rule of law at sea. Additionally, under the Convention, the United States would have the firmest possible legal foundation for the rights, freedoms, and uses of the sea needed to project power, reassure allies and partners, deter adversaries, respond to crises, sustain deployed combat forces, and secure sea and air lines of communication that underpin international trade and our own economic prosperity.

*Question.* Would U.S. accession to the United Nations Law of the Sea Convention benefit the U.S. military's mission in the Asia-Pacific region? If so, how?

Answer. U.S. accession to the Law of the Sea Convention would benefit the U.S. military's mission in the Asia-Pacific region by enabling the United States to reinforce and assert the Convention's rights, freedoms, and uses of the sea, including the right of innocent passage of U.S. warships through the territorial seas of other nations, the right of transit passage of U.S. warships and aircraft in strategic straits, and the freedom of U.S. forces to conduct a wide range of military activities beyond the territorial seas of any coastal state. In addition, becoming a party to the Convention would support combined operations with regional partners and demonstrate our commitment to conduct Proliferation Security Initiative activities consistent with international law; establish undisputed title to our extended continental shelf areas; strengthen our position in bilateral discussions with the People's Republic of China; and bolster our leadership in future developments in the law of the sea. Accession would also improve the United States' position and add to our credibility in a large number of Asia-focused multilateral venues where Law of the Sea matters are discussed.

It is important to note that the United States was one of the leaders of the Conventions' negotiations and our national interests—as both a coastal nation and maritime nation—are reflected in its provisions. Consequently, accession by the United

States would send a powerful and affirmative message to the international community that the United States believes the legal regime reflected in the Convention is worth supporting and upholding against any nation that might seek to manipulate the ordinary and intended meaning of certain provisions in its self-interest. In short, ratification would enhance stability for international maritime rules and the freedom of access for U.S. forces in the PACOM AOR to execute assigned missions.

POW/MIA ACCOUNTING EFFORTS

*Question.* The Joint POW/MIA Accounting Command is critical to the recovery and identification of remains of missing military members. Recovery of remains of U.S. servicemembers from World War II, the Korean War, and the Vietnam war continues to be a high priority. Section 541 of the National Defense Authorization Act for Fiscal Year 2010 requires that the Secretary of Defense ensure that sufficient resources, personnel, and funds are provided to attain at least 200 identifications per year by fiscal year 2015.

What is your view of the Department's and the POW/MIA community's ability to achieve this goal?

Answer. While Department leaders have made a significant increase in resources available to meet the requirement, the goal of reaching 200 identifications a year remains a challenge. JPAC has been funded to hire an additional 253 personnel (civilians and military). I understand the JPAC Commander and his team are working to increase efficiencies and find new scientific ways of making identifications. DOD, in its review of its budget requirements for fiscal years 2012–2016, fully resourced JPAC's requirements in its efforts to reach 200 identifications by 2015. However, real world events and current budget deliberations could alter actual funding received affect attainment of JPAC's mandated goal.

*Question.* On October 20, 2011, DOD announced an agreement with North Korea that will allow U.S. personnel to return to North Korea to resume recovery of remains of U.S. servicemembers missing from the Korean War. Recovery operations in North Korea were suspended in 2005.

What is your understanding of this recent agreement to resume recovery operations in North Korea?

Answer. During the first quarter of fiscal year 2012, the Deputy Assistant Secretary for Defense for Prisoner of War/Missing Personnel Office negotiated an arrangement with North Korea to conduct joint operations in 2012 to recover the remains of American personnel. JPAC had previously conducted operations in North Korea; however operations were suspended in 2005 due to rising tensions on the Korean Peninsula.

JPAC has committed to conduct its mission in North Korea and is currently preparing to conduct four Joint Field Activities in the Democratic People's Republic of Korea during this calendar year.

*Question.* How might the resumption of recovery efforts in North Korea impact the future of the Six Party talks or the stability on the Korean Peninsula?

Answer. The resumption of recovery operations in North Korea is not linked to the future of the Six Party talks or to stability on the Korean Peninsula.

*Question.* If confirmed, what steps, if any, would you take to enhance POW/MIA recovery efforts in the PACOM AOR?

Answer. If confirmed, the JPAC Commander and his team will have my full support. The noble mission of JPAC and the U.S. Government's commitment to accounting for missing servicemembers from past conflicts are a powerful signal to our Nation's military and their families that we believe strongly in the return of our fallen heroes. Proper resourcing for JPAC missions and force protection for personnel participating in recovery efforts will be a personal priority.

In the context of maintaining and improving PACOM's engagement strategy, and fully recognizing the POW/MIA effort as humanitarian, I will establish an environment to encourage full cooperation in host nations where we conduct POW/MIA activities and continue to reinforce U.S. Government priorities as I meet and talk with national leaders. Because JPAC's mission is worldwide, I will work to ensure JPAC's resources and accounting efforts are available and focused not only in PACOM's AOR but as globally as appropriate.

FOREIGN LANGUAGE POLICY

*Question.* In 2005, DOD approved the Defense Language Transformation Roadmap to improve the Department's foreign language capability and regional area expertise. Since then, the Department has been working toward implementing that roadmap.

Does PACOM have access to enough foreign language experts to ensure good intelligence assessments?

Answer. While there are shortages in some languages, overall there are sufficient linguists for non-crisis intelligence assessments. During a significant crisis, existing foreign language resources will be hard pressed to maintain the current level of quality intelligence collection and assessments.

*Question.* In your view, how should the United States expand the foreign language skills of civilian and military personnel in order to improve the quality of intelligence input to, and policy output by, the Office of Asian and Pacific Security Affairs?

Answer. Greater emphasis and incentives should be placed on recruiting both civilian and military personnel with existing language capability and regional expertise. Improvements to machine translation tools should be resourced so that they can be used routinely to provide first draft translations/interpretations to increase productivity of the linguist workforce.

COUNTERTHREAT FINANCE

*Question.* A number of officials in DOD and the Intelligence Community have called for investing significantly more resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking.

What are your views on the role of DOD in counterthreat finance activities?

Answer. DOD has tremendous ISR assets that are invaluable in identifying and defining threat finance networks and characterizing those networks critical vulnerabilities. This information can then support and enable our interagency partners' counterthreat finance actions, be shared with partner nations to allow them to defeat threat finance activities within their own borders, and help drive bilateral and multi-lateral engagement strategies. We have unique access and placement through our military-to-military engagements that allow us to work closely in collaboration with the interagency to provide training and advice to partner nations on counterthreat finance and to bolster their capabilities. These and other DOD capabilities will ensure, in close coordination with other U.S. Government departments and agencies, that threat finance networks do not threaten our national security.

*Question.* In your view, should DOD seek to expand its support to other U.S. Government departments and agencies conducting counter threat finance activities?

Answer. With the understanding that an enemy's financial capability is the linchpin to their operational capability, I believe we should expand our support to other U.S. Government departments and agencies. As we continue to further detect and define the various and numerous threat finance networks that support adversaries around the globe, a whole-of-government approach is the only way to contain and defeat these threats to national security. Different U.S. Government departments and agencies each have authorities to attack these networks from different directions. DOD, can be a major enabler and supporter of these agencies in the execution of their authorities.

*Question.* Transnational criminal organizations are having a debilitating impact on the ability of our foreign partners to govern their nations and provide opportunities for their people.

Do you think expanding counterthreat finance activities in the Asia-Pacific region would be beneficial? If so, what role—if any—should DOD play in those activities?

Answer. Within the Asia-Pacific region, the threat finance environment is extremely complex, diverse and growing, encompassing terrorism, proliferation, narcotics trafficking, transnational organized criminal groups, and other threat finance networks which threaten the security and stability of the region. Countering these threat finance activities is critical and we should examine the potential expansion of counterthreat finance capabilities in the region.

QUALITY OF LIFE

*Question.* Combatant commanders have an interest in the quality of life of military personnel and their families assigned within their AOR.

In your view, what is the role and responsibility of combatant commanders for the quality of life of personnel assigned to their AOR?

Answer. The combatant commander is a strong advocate for programs which will ensure the needs of our servicemembers and their families continue to be met, even during an era of fiscal constraint. The commander advocates for sustainment of critical quality of life programs and for improvement where needed in the quality of life (QoL) of assigned personnel. The commander ensures that QoL issues are articu-

lated to community leaders, military installation commanders, DOD policymakers, and Members of Congress.

*Question.* If confirmed, what would you do to enhance quality of life programs for military members and their families within the PACOM AOR?

Answer. If confirmed, I would make QoL for the servicemembers and families of PACOM a top priority; our servicemembers and their families deserve nothing less. People are our most important resource and constant focus on QoL initiatives is vital to effectively implementing a "partnership, readiness, and presence" strategy in the region. Tailored and effective QoL programs and services demonstrate our commitment to our personnel, both at home and deployed, by appropriately supporting their service and providing for their families. Our fighting forces deserve exceptional access to such QoL programs and services; I stand committed to ensuring they get them.

*Question.* What is your view of the challenges associated with global rebasing on the quality of life of members and their families in the PACOM AOR (including adequate health care services and DOD schools)?

Answer. The biggest challenge will be preserving the QoL for our servicemembers and their families while we realign our forces in theater. Throughout the transition process, we should focus efforts on maintaining quality housing, DOD schools, commissary and exchange services, medical/dental facilities, higher education, work life, family and community support programs for our people. We should sustain current levels of service during the transformation and ensure to the greatest extent possible that these systems are in place before families arrive in an area.

JOINT PROFESSIONAL MILITARY EDUCATION

*Question.* What is your assessment of the value of and current requirements for Joint Professional Military Education (JPME) for military officers? What changes, if any, would you recommend in this regard?

Answer. I believe that the last 10 years of conflict have proven the value of JPME for our military officer corps. Our joint forces have made huge strides in synchronizing their efforts and capabilities to bring about desired effects on the battlefield. I believe that the incorporation of JPMEII into the Senior Service College curriculum was a good decision, and recommend we continue to look for opportunities to identify efficient ways to prepare our officers for the joint and interagency challenges ahead.

PREVENTING AND RESPONDING TO SEXUAL ASSAULTS

*Question.* What steps do you plan to take, if confirmed, to ensure that military forces assigned to PACOM comply with DOD policies aimed at preventing and responding adequately to sexual assaults and the recent changes announced by Secretary of Defense Panetta?

Answer. Sexual assault is criminal conduct punishable under the Uniform Code of Military Justice (UCMJ), and must be taken very seriously. If confirmed, my commitment is to zero tolerance of sexual assault or related behaviors within the PACOM AOR. To ensure this, I will establish clear policies and procedures for my leaders, at all levels, to take action to prevent sexual assault, protect and support victims, hold offenders accountable, and to ensure a safe and healthy environment for those in their charge. As is the case in most major commands, subordinate commanders in PACOM are required to immediately notify the combatant commander of any sexual assault incidents. In line with Secretary Panetta's recent changes, I will ensure all personnel (military and civilians) at every level are fully aware, trained, and committed to eradicating sexual assault.

*Question.* What methods for monitoring overall trends and gauging the sufficiency of component commanders' efforts in preventing and responding to incidents of sexual assault do you consider appropriate and intend to implement as Commander, PACOM?

Answer. I will ensure commanders comply with all requirements in accordance with DOD Directive 6495.0 and other established Department policies. Additionally, I will require commanders provide me assessments of their prevention efforts as well as their responsiveness to incidents. From these assessments, I will monitor trends and provide further guidance and direction as necessary. I will emphasize the importance of commanders monitoring their command climate with respect to sexual assault and ensuring sexual assault response capabilities be available at all locations in my AOR. I will demand victims be treated with fairness and respect and that sexual assault incidents be given the highest priority and treated as emergency cases. I will not allow sexual assault to injure our personnel, our friends, our families, destroy our professional values, or compromise readiness.

HUMANITARIAN ASSISTANCE AND DISASTER RELIEF

*Question.* What should be the role for the U.S. military in humanitarian assistance and disaster relief in the Asia-Pacific region?

Answer. PACOM continues to provide Foreign Disaster Relief in the PACOM AOR on an "as needed" basis. When countries request assistance, PACOM either provides immediate assistance within the initial 72-hours of a disaster based on life and limb or after U.S. Agency for International Development (USAID) validates the country request against an urgent and unique capability that PACOM can provide. PACOM continues to assist Asia-Pacific nations with their disaster preparations by engaging in multinational forums to share best practices, participating in various bi/multilateral HA/DR exercises, as well as partnering with the Center for Excellence in Disaster Management and Humanitarian Assistance and USAID in country resiliency training. Overall, PACOM should be viewed as a quick response force for countries in dire need with an ability to respond rapidly, for short duration, and to provide assistance when requested.

Additionally, steady-state Humanitarian Assistance activities are an important part of PACOM's Theater Campaign Plan. PACOM provides humanitarian assistance annually to countries within its AOR. These HA activities are low cost, nonobtrusive, but highly effective efforts that improve DOD access, visibility and influence in a partner nation or region, generate positive public relations and goodwill for DOD, and build collaborative relationships with the partner nations' civil society.

*Question.* Are the resources necessary to fulfill this role currently available to the PACOM commander? If not, what additional resources are necessary?

Answer. Yes, PACOM receives adequate funding from the Overseas Humanitarian, Disaster and Civic Aid appropriation, under title 10 U.S.C. 2561 for humanitarian assistance activities, and title 10 U.S.C. 404 to respond to disasters within the PACOM AOR.

SCIENCE AND TECHNOLOGY

*Question.* As with other combatant commands, a Science and Technology (S&T) advisor is assigned to support PACOM.

If confirmed, what would be your priorities for the PACOM S&T advisor?

Answer. If confirmed, I will rely on my S&T Advisor to support our strategic mission with three priorities:

(1) Discover, develop, and demonstrate solutions to warfighter challenges;
(2) Avoid surprise by adversary technology; and
(3) Build defense partnerships with regional allies and partners.

To accomplish these priorities, I will direct my S&T Advisor to continue to expand PACOM's S&T collaboration with the national research enterprise composed of service, DOD, and Department of Energy laboratories, and international partners, and to provide expert advice to my staff on new and emerging capabilities that can aid us in meeting theater objectives.

*Question.* DOD has, in recent years, put greater emphasis on research and development of persistent ISR capabilities.

In your view, how can persistent ISR improve operations in the Pacific theater, and how would you utilize new platform and sensor technologies?

Answer. Persistent ISR has proven an enduring challenge globally, and is especially difficult considering the "tyranny of distance" faced in the vast Asia/Pacific region. Technology continues to play a critical enabling role in addressing this challenge. I am following with keen interest developments in several technologies that promise to mitigate ISR challenges. In all the warfighting domains, advances in unattended sensors and autonomous systems promise to revolutionize how we conduct ISR, especially in environments where risk mitigation and cost-benefit analysis favors their implementation. Finally, I will continue to promote the principle of working by, with and through our allies and partners in areas such as shared regional maritime domain awareness.

*Question.* Do you believe that airship platforms can be effectively employed in the Pacific theater?

Answer. I see a need for a broad spectrum of platforms to effectively conduct ISR in the Asia/Pacific. Airship-based platforms have shown promising capabilities to fill part of this need, especially in permissive environments, in support of missions such as air and surface domain awareness. Furthermore, airships of sufficient scale also offer a promising capability to conduct mobility operations independent of traditional aerial or seaport facilities; a useful capability for missions such as disaster response.

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, PACOM?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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## [Questions for the record with answers supplied follow:]

### QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

30-YEAR SHIPBUILDING PLAN

1. Senator WICKER. Admiral Locklear, the Navy's current 30-Year Shipbuilding Plan indicates that we will be building ships at minimum sustaining rates. Many observe that this could pose challenges to fulfilling the amphibious force requirement and possibly give rise to a sea-lift capability gap and an aviation-lift gap in 2015. Let's set aside the operational implications of those issues for a moment. Many worry that the relatively low orders for new ships proposed in the 2013 Plan may jeopardize the administration's plans to support the shipbuilding industrial base over the intermediate- to long-term. The reductions in vendors to provide equipment for the shipbuilding industry may also make it difficult to realize desired efficiencies. With a "pivot" to the Asia-Pacific region and given the vast maritime size of the Asia-Pacific area of responsibility (AOR), and the Navy's inability to meet its own requirement of 313 ships, currently at 284 ships, how will this affect your ability to protect America's security interests?

Admiral LOCKLEAR. The Navy's shipbuilding plan reflects the new strategic guidance and evolving operational plan requirements. From a Pacific Command perspective, it is more important how we manage those ships globally and whether or not the Asia Pacific area of responsibility is adequately serviced. That is, having the right number and types of ships present. To date, the Navy has met that responsibility.

KOREA F–16 RADARS

2. Senator WICKER. Admiral Locklear, the Republic of Korea (ROK) Air Force has been asking for advanced F–16 Radars for several years. A major element of the upgrade would be the addition of active electronically scanned array (AESA) radar to ROK Air Force F–16s—known as the KF–16 in Korean service. Replacing the F–16's mechanically scanned array radar with an AESA will provide not only performance but reliability and maintenance improvements. Do you support the expeditious Korean procurement of existing defense technology if such technology meets their operational requirements?

Admiral LOCKLEAR. Yes, I strongly support the expeditious Korean procurement of the AESA radar for the ROK Air Force KF–16 aircraft. Our combined operational readiness on the Korean Peninsula is key to maintaining an effective deterrence against the North Korean threat.

3. Senator WICKER. Admiral Locklear, do you agree that the U.S. Government should fully support the ROK Air Force's requirements and acquisition process timeline for a U.S. export-compliant AESA radar acquired via the foreign military sales (FMS) process?

Admiral LOCKLEAR. Yes, I do feel the U.S. Government should support the ROK Air Force's requirements and acquisition process timelines, within our own established and legal foreign military sales standards. The ROK Government and Air Force have asked for our assurances that they will be able to select the same radar our own Air Force will select, and be able to acquire it in their requested acquisition timeline with assurances of cost savings. I believe this is a reasonable request and that the U.S. Government should be able to offer these assurances to a strong ally who must be interoperable with our own Air Force on the Korean Peninsula.

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## QUESTIONS SUBMITTED BY SENATOR SCOTT P. BROWN

### SENSOR-FUZED WEAPON

4. Senator BROWN. Admiral Locklear, there are a number of constituents in my State who are involved in the manufacture and assembly of the Air Force's Sensor-Fuzed Weapon (SFW).

As you may know, the 2010 Oslo Convention to eliminate legacy cluster munitions has led some global activists to target the SFW and its supply chain, despite the fact that this system is not a legacy cluster munition but instead the Department of Defense's (DOD) solution to the humanitarian problem caused by those munitions. While the weapons that the Oslo Convention seeks to ban are responsible for unexploded ordnance injuring civilians long after a conflict has ended, the SFW leaves virtually none of these remnants due to its advance design and safety features. Regardless, my constituents and I expect the Air Force is concerned about campaigns to undermine the industrial base for this system.

Given this situation, I would appreciate your informing me about the role the SFW has in operational planning for the U.S. Pacific Command (PACOM), and in particular, our mission to help defend the ROK. Specifically, does a massive tank incursion by North Korean forces remain a threat that our warfighters plan for?

Admiral LOCKLEAR. A preponderance of North Korea's large and capable military is in its ground conventional forces, which include significant armor and mechanized capability. Given this capability, current plans must consider the threat to security that conventional forces, including tanks and armored personnel carriers, pose to the Alliance. North Korean tanks could play a significant role in their offensive strategy as part of Infantry Divisions, Mechanized Brigades, and Armor Corps. Consequently, sensor-fuzed weapons are one of the key munitions considered in countering North Korean aggression.

5. Senator BROWN. Admiral Locklear, what is the role of area versus unitary munitions in addressing this threat?

Admiral LOCKLEAR. The Sensor-Fuzed Weapon (SFW) in PACOM's inventory is the CBU–105, which is a type of cluster munitions. The advantages of "cluster munitions" versus unitary munitions are clearly delineated in U.S. policy and included in PACOM internal doctrine (PACOM Instruction 0601.10), specifically: "Use of cluster munitions provide the ability to engage area targets that include massed formations of enemy forces, individual targets dispersed over a defined area, targets whose precise locations are not known, and time-sensitive or moving targets."

6. Senator BROWN. Admiral Locklear, what capability does the SFW provide that other munitions in the U.S. inventory cannot in this environment?

Admiral LOCKLEAR. Each individual SFW includes 10 submunitions, with the capability to sense and engage 4 separate targets. The effective coverage area can be several acres in size. When used in a target-rich environment, as would be represented by either staged or advancing troops and armor, there are no other single alternatives that favorably compare. To reach the same levels of effectiveness with unitary weapons, far greater numbers of weapons and weapons systems, combined with higher explosive yields would be necessary.

7. Senator BROWN. Admiral Locklear, how does it address the humanitarian concerns that have been raised about the use of other munitions?

Admiral LOCKLEAR. The United States complies with the law of armed conflict during all armed conflicts, however such conflicts are characterized, and in all other

military operations. Under that body of international law, the right of belligerents to adopt means of injuring the enemy is not unlimited.

Per DOD and Service guidance, all weapons, weapon systems, and munitions must be reviewed by the Judge Advocate Generals of the respective Services or the DOD General Counsel for legality under the law of armed conflict. This review occurs before the award of the engineering and manufacturing development contract and again before the award of the initial production contract. The weapons review process of the United States allows commanders, including myself as Commander, U.S. Pacific Command, and all other personnel to reasonably assume that any weapon or munition contained in the U.S. military inventory and issued to military personnel is lawful. For specific details on how humanitarian concerns are addressed in the development of any weapon, weapon system, or munition in the U.S. inventory, I respectfully encourage you to raise this question to the Judge Advocate Generals and the DOD General Counsel.

At the same time, I have a responsibility to ensure that all weapons and munitions under my cognizance are employed in a lawful manner. This includes employing weapons against only lawful targets, and minimizing collateral damage and incidental injury. I can assure you that I take this responsibility seriously.

8. Senator BROWN. Admiral Locklear, what type of consequences would you foresee if U.S. forces could rely only on unitary systems to defend against a North Korean ground attack?

Admiral LOCKLEAR. Based upon a formidable North Korean threat that includes conventional and asymmetric capabilities, during the initial stages of aggression, limiting Alliance defense to unitary systems will increase operational risk. It is important to maximize U.S. and Alliance capabilities to quickly defeat North Korean aggression, minimize military and civilian casualties, and maintain security and stability on the peninsula and the NE Asia region.

9. Senator BROWN. Admiral Locklear, what costs would be incurred in terms of protecting friendly forces, materiel, and dollars?

Admiral LOCKLEAR. [Deleted.]

10. Senator BROWN. Admiral Locklear, in terms of deterrence, what value do you put on area weapons in deterring enemy forces from considering massing forces to attack our allied forces?

Admiral LOCKLEAR. [Deleted.]

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## QUESTIONS SUBMITTED BY SENATOR LINDSEY GRAHAM

### CHINESE CYBER ATTACKS

11. Senator GRAHAM. Admiral Locklear, it is now widely believed that China, and particularly the People's Liberation Army (PLA), is engaged in sustained cyber attacks upon the United States to steal information on our defense and trade infrastructures. Evidence exists, for example, of China's involvement in cyber attacks at the U.S. Department of State, Lockheed Martin, Google, and the NASDAQ, all within the last year. If China engages in a cyber attack upon the United States, do you consider such an attack to be a hostile act against the United States?

Admiral LOCKLEAR. [Deleted.]

12. Senator GRAHAM. Admiral Locklear, if China engages in a cyber attack upon the United States, do you believe it is legitimate under the Law of War for the United States to respond in kind?

Admiral LOCKLEAR. [Deleted.]

13. Senator GRAHAM. Admiral Locklear, if China engages in a cyber attack upon the United States, do you believe it is legitimate under the Law of War for the United States to act offensively to counter any perceived cyber attack upon the United States?

Admiral LOCKLEAR. [Deleted.]

14. Senator GRAHAM. Admiral Locklear, if China engages in a cyber attack upon the United States, do you believe that the United States should respond to such an attack?

Admiral LOCKLEAR. That would depend greatly on the target of that attack. Cyber threats to our national security go well beyond only military targets and affect all

aspects of society. Given the integrated nature of cyberspace, computer-induced failures of power grids, transportation networks, or financial systems could cause massive physical damage and economic disruption. Our military and our society as a whole are dependent on this critical infrastructure, and I believe an attack on that infrastructure would warrant a response if we could accurately and confidently determine the origin of that attack.

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QUESTIONS SUBMITTED BY SENATOR JOHN CORNYN

TAIWAN

15. Senator CORNYN. Admiral Locklear, in your advance policy question (APQ) responses, you acknowledge that two of the three main challenges in the PACOM AOR are preserving strong relationships with our Asia-Pacific allies and partners, while dealing with China's substantial military modernization and buildup. You note that one of the key means to addressing these challenges is by continuing our "commitments to modernizing and strengthening our treaty alliances and partnerships in the region," relationships that "will be enhanced by maintaining interoperable military capabilities that deter regional aggression and build partner security capacity." You also maintain that the "United States' primary objective in building the capacity of foreign partners should continue to be to help them develop effective and legitimate security institutions that can provide for their countries' internal security." I welcome these statements, and can think of no greater example of the importance of these facts than the United States' relationship with Taiwan. What is your assessment of the value of the U.S.-Taiwan relationship and of the strategic value of building Taiwan's capacity to defend itself?

Admiral LOCKLEAR. The U.S.-Taiwan relationship provides valuable contributions to Taiwan's self-defense capability. In turn, Taiwan's self-defense capability enhances stability across the Strait and enables its dialogue with the Mainland. This contributes to stability in the region.

16. Senator CORNYN. Admiral Locklear, your APQ responses also highlight China's military modernization program and its near-term focus, which "appears to be on preparing for potential contingencies involving Taiwan." According to DOD's 2011 report, "Military and Security Developments Involving the People's Republic of China (PRC)", the "balance of cross-Strait military forces and capabilities continues to shift in the mainland's favor." As you rightly said, under the Taiwan Relations Act (TRA), the United States is statutorily obligated to make available to Taiwan such defense articles and defense services "as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." In your opinion, how could this cross-strait balance have shifted in favor of the PRC, if the United States has been upholding our obligations under the TRA?

Admiral LOCKLEAR. [Deleted.]

17. Senator CORNYN. Admiral Locklear, I also appreciate your acknowledgment that the TRA states that the President and Congress shall determine the nature and quantity of defense articles "based solely upon their judgment of the needs of Taiwan." You further state that you "would not recommend any changes to the law." It is my opinion—and that of a bipartisan group of colleagues who joined me in cosponsoring the Taiwan Airpower Modernization Act—that Taiwan would benefit from the sale of new F–16 C/Ds. However, the current administration continues to refuse to sell these aircraft to Taiwan. In your opinion, should China be allowed to dictate or substantially influence what military equipment the United States does or does not sell to Taiwan?

Admiral LOCKLEAR. No. Whether to go forward with arms sales to Taiwan is determined by the President and Congress based solely upon their judgment.

18. Senator CORNYN. Admiral Locklear, when asked if you believe the United States should sell new F–16 C/D aircraft to Taiwan, you responded that "the recently announced F–16 A/B upgrades are similar in capability to new F–16 C/Ds." Yet, this misses the larger problem, which is Taiwan's looming fighter shortfall, as much of its fleet reaches the end of its lifespan. Wu Jin-lin, Secretary General to President Ma of Taiwan, notified me in a letter dated October 14, 2011, that "the main purpose for purchasing new F–16 C/D fighters is to replace our aging fleet of some 65 F–5 fighters, which is obviously a different matter from the acquisition of the F–16 A/B retrofit packages." As a result, Taiwan continues to ask to be allowed to purchase new F–16 C/D fighters, even after the announced sale of the A/B up-

grades. Furthermore, according to DOD's 2011 report, the PRC has a total of approximately 2,300 operational combat aircraft. In contrast, Taiwan has a total of 388 aircraft. The sale of F–16 A/B upgrades does nothing to attempt to restore any quantitative balance. In light of these facts, please elaborate on your response, and do you believe the United States should sell new F–16 C/D aircraft to Taiwan?

Admiral LOCKLEAR. [Deleted.]

19. Senator CORNYN. Admiral Locklear, you state that "capabilities that deter the PRC or increase the Taiwan military's survivability are critical." What is your assessment of Taiwan's current need to build its air defense capacity?

Admiral LOCKLEAR. [Deleted.]

20. Senator CORNYN. Admiral Locklear, in your opinion, would the sale of new F–16 C/Ds serve as a deterrent to the PRC? Would they increase Taiwan's military survivability?

Admiral LOCKLEAR. [Deleted.]

21. Senator CORNYN. Admiral Locklear, in your APQ responses, you said that Taiwan must ensure that it adequately resources its defense program, to include looking at increasing its defense budget, maintaining that you believe "the best way to encourage Taiwan to invest more in its military is to send strong and consistent messages from the U.S. Government to Taiwan." What message do you believe the current administration's failure to approve the sale of 66 new F–16 C/D fighters sends to the Government of Taiwan? Does this message encourage Taiwan to continue investing in its military?

Admiral LOCKLEAR. The Taiwan authorities understand the foreign military sales process and what it entails. The President and Congress make the determination based upon their judgment of the needs of Taiwan and the U.S. military supports this assessment.

Regardless, Taiwan must continue to invest in its military, particularly in the area of joint operations. Taiwan's commitment to its own defense contributes to its ability to deter PRC aggression.

22. Senator CORNYN. Admiral Locklear, in your opinion, would 66 new F–16s C/Ds bolster Taiwan's ability to conduct maritime interdiction in a blockade scenario?

Admiral LOCKLEAR. [Deleted.]

23. Senator CORNYN. Admiral Locklear, if the administration continues to stall on Taiwan's pending request, and Taiwan becomes unable to purchase new F–16s, what are the potential impacts on Taiwan's ability to defend its own skies?

Admiral LOCKLEAR. [Deleted.]

24. Senator CORNYN. Admiral Locklear, what would be the impact on U.S. interests in the region?

Admiral LOCKLEAR. [Deleted.]

25. Senator CORNYN. Admiral Locklear, according to DOD, in 2011 the PLA Navy had the largest force of principal combatants, submarines, and amphibious warships in Asia. This fleet includes 49 diesel attack submarines and 5 nuclear attack submarines. In contrast, Taiwan currently has four diesel attack submarines and zero nuclear attack submarines. What is your assessment of the current status of Taiwan's submarine fleet and the ability of Taiwan's navy to defend against an amphibious attack?

Admiral LOCKLEAR. [Deleted.]

26. Senator CORNYN. Admiral Locklear, what is your assessment of how long it will be before Taiwan's current submarines must be replaced?

Admiral LOCKLEAR. [Deleted.]

27. Senator CORNYN. Admiral Locklear, should the United States be looking for ways to help Taiwan replace its current submarines, and even grow its submarine fleet, in the near future?

Admiral LOCKLEAR. [Deleted.]

28. Senator CORNYN. Admiral Locklear, do you believe the United States has met its obligations under the TRA to ensure that Taiwan has the opportunity to upgrade its submarine fleet?

Admiral LOCKLEAR. [Deleted.]

29. Senator CORNYN. Admiral Locklear, what risks would the United States face if Taiwan cannot protect itself?
Admiral LOCKLEAR. [Deleted.]

30. Senator CORNYN. Admiral Locklear, if hostilities were to break out between China and Taiwan, is the United States currently able to provide an air deterrent over Taiwan, if Taiwan proves unable to protect itself?
Admiral LOCKLEAR. [Deleted.]

31. Senator CORNYN. Admiral Locklear, you note that, "with the current budget environment, careful choices will need to be made that focus resources where they provide the most value and return." As you correctly state, building partner capacity "in our allies and partners lessens the burden on U.S. forces responding to security threats outside the United States." In light of the current fiscal crisis and the drastic budget constraints DOD is currently facing, do you agree that a Taiwanese air force that possesses the capacity to deter Chinese aggression is in the best interest of the United States?
Admiral LOCKLEAR. I agree, and I would expand that statement to cover the entire Taiwan military. Taiwan must continue to focus its efforts on improving joint operations capabilities, streamlining defense programs to be less costly and more effective, and seeking innovative solutions to complement its traditional military capabilities.

32. Senator CORNYN. Admiral Locklear, do you agree that a capable Taiwan air force would lessen the burden on U.S. forces in the region, reducing the risk that U.S. forces would potentially have to respond to Chinese military aggression against Taiwan?
Admiral LOCKLEAR. Taiwan's overall military capability, to include its air force, contributes to Taiwan's overall ability to deter conflict.

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[The nomination reference of ADM Samuel J. Locklear III, USN, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 23, 2012.*

*Ordered,* That the following nomination be referred to the Committee on Armed Services:
The following named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be Admiral*

ADM Samuel J. Locklear III, USN, 1250.

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[The biographical sketch of ADM Samuel J. Locklear III, USN, which was transmitted to the committee at the time the nomination was referred, follows:]

TRANSCRIPT OF NAVAL SERVICE FOR ADM SAMUEL JONES LOCKLEAR III, USN

| | |
|---|---|
| 28 Oct. 1954 | Born in Macon, GA |
| 08 June 1977 | Ensign |
| 08 June 1979 | Lieutenant (junior grade) |
| 01 July 1981 | Lieutenant |
| 01 Dec. 1986 | Lieutenant Commander |
| 01 Sep. 1990 | Commander |
| 01 Sep. 1995 | Captain |
| 01 Sep. 2001 | Rear Admiral (lower half) |
| 01 Apr. 2005 | Rear Admiral |
| 03 May 2007 | Vice Admiral |
| 06 Oct. 2010 | Admiral, Service continuous to date |

*Major duty assignments:*

| Assignments and duties | From | To |
|---|---|---|
| U.S. Naval Academy (Executive Assistant to OIC, Fourth Class Regiment) | June 1977 | Sep. 1977 |
| Surface Warfare Officers School Command, Newport, RI (DUINS) | Sep. 1977 | Apr. 1978 |
| USS *William V. Pratt* (DDG 44) (Fire Control Officer) | Apr. 1978 | Mar. 1981 |
| U.S. Naval Academy (Company Officer) | Mar. 1981 | July 1983 |
| Naval Nuclear Power School, Naval Training Center, Orlando, FL (DUINS) | July 1983 | Feb. 1984 |
| Nuclear Power Training Unit, Ballston Spa, NY (DUINS) | Feb. 1984 | Aug. 1984 |
| USS *Carl Vinson* (CVN 70) (Electrical Officer) | Aug. 1984 | Jan. 1987 |
| Surface Warfare Officers School Command Newport, RI (DUINS) | Jan. 1987 | July 1987 |
| USS *Callaghan* (DDG 994) (Operations Officer) | July 1987 | June 1989 |
| Surface Warfare Officers School Command Newport, RI (DUINS) | June 1989 | Aug. 1989 |
| Commander, Naval Surface Force, U.S. Pacific Fleet (Nuclear Propulsion MIT Division) | Aug. 1989 | Oct. 1989 |
| XO, USS *Truxtun* (CGN 35) | Oct. 1989 | July 1991 |
| Industrial College of the Armed Forces (Student) | July 1991 | Aug. 1992 |
| CO, USS *Leftwich* (DO 984) | Aug. 1992 | Dec. 1994 |
| Joint Staff (Branch Chief, Regional Engagement and Presence Joint Warfighting Capabilities Assessment Branch) (J–5) | Dec. 1994 | Feb. 1997 |
| Commander, Destroyer Squadron Two | Feb. 1997 | Dec. 1998 |
| Office of the CNO (Executive Assistant to the Vice Chief of Naval Operations) (N09A) | Dec. 1998 | Dec. 1999 |
| Commandant of Midshipmen, U.S. Naval Academy | Dec. 1999 | Jan. 2002 |
| Office of the CNO (Deputy Director for Requirements Assessment, N81D/Director, CINC Liaison Division, N83) | Jan. 2002 | Oct. 2002 |
| Commander. Cruiser Destroyer Group Five | Oct. 2002 | Jan. 2004 |
| Office of the CNO (Deputy Director, Surface Warfare Division) (N76B) | Jan. 2004 | Oct. 2004 |
| Office of the CNO (Director, Assessment Division) (N81) | Oct. 2004 | Oct. 2005 |
| Office of the CNO (Director, Programming Division) (N80) | Oct. 2005 | May 2007 |
| Commander. Third Fleet | May 2007 | July 2009 |
| Office of the CNO (Director, Navy Staff) (N09B) | July 2009 | Sep. 2010 |
| Commander, U.S. Naval Forces, Europe/Commander, U.S. Naval Forces Africa/Commander, Allied Joint Forces Command, Naples | Oct. 2010 | To date |

*Medals and awards:*

Defense Superior Service Medal
Legion of Merit with four Gold Stars
Bronze Star
Meritorious Service Medal with three Gold Stars
Navy and Marine Corps Commendation Medal with one Gold Star
Navy and Marine Corps Achievement Medal with one Gold Star
Navy Unit Commendation
Navy "E" Ribbon
National Defense Service Medal with one Bronze Star
Armed Forces Expeditionary Medal
Southwest Asia Service Medal
Global War on Terrorism Expeditionary Medal
Global War on Terrorism Service Medal
Sea Service Deployment Ribbon with one Silver Star
Kuwait Liberation (Kuwait)

*Special qualifications:*

BS (Operations Research) U.S. Naval Academy, 1977
MA (Public Administration) George Washington University, 1992
Designated Surface Warfare Officer, 1978
Graduate of Industrial College of the Armed Forces, 1992
Designated Joint Specialty Officer, 1998
Capstone, 2005–1

*Personal data:*

Wife: Pamela Ann Nichols of Peabody, MA
Children: Jennifer N. Locklear (Daughter) Born: 14 December 1980.
Jillian L. Locklear (Daughter) Born: 16 February 1984.

*Summary of joint duty assignments:*

| Assignment | Dates | Rank |
|---|---|---|
| Joint Staff (Branch Chief, Regional Engagement and Presence Joint Warfighting Capabilities Assessment Branch) (J–5). | Dec. 94–Feb. 97 | CDR/CAPT |

| Assignment | Dates | Rank |
|---|---|---|
| Commander, Allied Joint Forces Command, Naples | Oct. 10–To Date | ADM |

[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 ADM Samuel J. Locklear III, USN, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Samuel J. Locklear III.

2. **Position to which nominated:**
Commander, U.S. Pacific Command.

3. **Date of nomination:**
23 January 2012.

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:**
28 October 1954; Macon, GA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Pamela Ann Locklear (Nichols).

7. **Names and ages of children:**
Jennifer Nichols Loustanunau (Locklear), age 30.
Jillian Leigh Bauersfeld (Locklear), age 27.

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.
None.

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

U.S. Naval Academy Alumni Association-Member.
Surface Navy Association-Member.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
None.

12. **Commitment to testify before Senate committees:** Do you agree, if confirmed, to appear and testify upon request before any duly constituted committee of the Senate?
Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?
Yes.

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[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.]

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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.

ADM SAMUEL J. LOCKLEAR III, USN.

This 5th day of December, 2011.

[The nomination of ADM Samuel J. Locklear III, USN was reported to the Senate by Chairman Levin on February 17, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on February 17, 2012.]

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[Prepared questions submitted to LTG Thomas P. Bostick, USA, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also vastly improved cooperation between the services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. The goals of the Goldwater-Nichols legislation are as important today as when the act passed 30 years ago. I continue to support these reforms and will be guided by the objectives of this important legislation, which promote the effectiveness of military operations, strengthen civilian control, provide for more efficient and effective use of defense resources, and improve the management and administration of the Department of the Army and Department of Defense (DOD).

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Not applicable, in view of my previous answer.

RELATIONSHIPS

*Question.* Please describe your understanding of the relationship of the Chief of Engineers to the following offices (for the purpose of these questions, the term

"Chief of Engineers" should be read to include Commanding General, U.S. Army Corps of Engineers):

The Secretary of Defense.

Answer. As head of DOD, the Secretary of Defense has full authority, direction, and control over all its elements. The Secretary 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 in fulfilling the Nation'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.

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

Answer. The Chairman of the Joint Chiefs of Staff serves as 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, with assistance from the Joint Chiefs of Staff has responsibility of providing for the strategic direction, strategic planning, and contingency planning; advising the Secretary of Defense on requirements, programs, and budgets identified by the commanders of the unified and specified combatant commands; developing doctrine for the joint employment of the Armed Forces; providing for representation of the United States on the Military Staff Committee of the United Nations; furnishing certain reports to the Secretary of Defense; and performing such other duties as may be prescribed by law or by the President or the Secretary of Defense. If confirmed, I will cooperate fully with the Chairman of the Joint Chiefs of Staff in the performance of his responsibilities.

*Question.* The Secretary of the Army.

Answer. As head of the Department of the Army, the Secretary of the Army is responsible for, and has the authority to conduct, all affairs of the Department of the Army, subject to the authority, direction, and control of the Secretary of Defense. The Secretary of the Army 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. If confirmed, I will support the Secretary in the performance of the Secretary's important duties. I will strive, to establish and maintain a close, professional relationship with the Secretary of the Army, based on full and candid communication with the Secretary on all matters assigned to me.

*Question.* The Assistant Secretary of the Army for Civil Works.

Answer. The Assistant Secretary of the Army for Civil Works is principally responsible for the overall supervision of the Army's functions relating to programs for conservation and development of the national water resources, including flood control, navigation, shore protection, and related purposes. Carrying out the Army's civil works program is a principal mission of the Corps of Engineers and the complex issues that arise in this area demand a close, professional relationship between the Assistant Secretary of the Army for Civil Works and the Chief of Engineers, based on mutual respect, trust, cooperation, and full communication. If confirmed, I am committed to establishing and maintaining such a relationship.

*Question.* The General Counsel of the Army.

Answer. The General Counsel of the Army is the chief legal officer of the Army. The General Counsel serves as counsel to the Secretary of the Army and other Secretariat officials and is responsible for determining the position of the Department of the Army on any legal question or procedure. If confirmed, I will ensure that my Chief Counsel maintains a close and professional relationship with the General Counsel and actively seeks the General Counsel's guidance in order to ensure that Army Corps of Engineers policies and practices are in strict accordance with the law and the highest principles of ethical conduct.

*Question.* The Chief of Staff of the Army and the Army Staff.

Answer. The Chief of Staff of the Army performs the Chief of Staff's 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 by law as a member of the Joint Chiefs of Staff.

The Army Staff assists the Secretary of the Army in carrying out the Secretary's responsibilities, by furnishing professional advice and operations expertise to the Secretary, the Under Secretary, and the Assistant Secretaries of the Army and to the Chief of Staff of the Army. Under the authority, direction, and control of the Secretary of the Army, the Army Staff prepares for and assists in executing any power, duty, or function of the Secretary or the Chief of Staff; investigates and reports on the Army's efficiency and preparedness to support military operations; supervises the execution of approved plans; and coordinates the action of Army organi-

zations, as directed by the Secretary or Chief of Staff. As a statutory member of the Army Staff, the Chief of Engineers assists the Secretary in carrying out the Secretary's responsibilities and furnishes necessary professional assistance to the Secretary, the Under Secretary, the Assistant Secretaries of the Army and the Chief of Staff of the Army. Specifically, the Chief of Engineers is the principal adviser to the Army Staff on engineering and construction matters. In discharging these responsibilities, the Chief of Engineers must develop positive, professional relationships with the Chief of Staff, the Vice Chief of Staff, the Deputy and Assistant Chief of Staff, The Surgeon General, the Judge Advocate General, the Chief of Chaplains and the Chief of the Army Reserve, in order to ensure that the Army Staff works harmoniously and effectively in assisting the Army Secretariat. If confirmed, I am committed to establishing and maintaining such relationship with the members of the Army Staff.

*Question.* The combatant commanders.

Answer. The combatant commanders are responsible to the President and to the Secretary of Defense for the performance of missions assigned to the commands by the President or by the Secretary with the approval of the President. 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 a redirectly responsible to the Secretary for the preparedness of the commands to carry out their assigned missions. These missions include providing humanitarian and civil assistance, training the force, conducting joint exercises, contingency activities, and other selected operations. If confirmed, I will support the combatant commanders in the performance of these important duties by providing any necessary engineering and construction services required from the Corps of Engineers to the combatant commanders' component commands.

*Question.* The U.S. Ambassador to Iraq.

Answer. The Corps of Engineers has provided a broad array of engineering and construction related services in Iraq generally to either the Commander, U.S. Forces Iraq (USF–I), the State Department, or the Government of Iraq. As the size and the scope of the military's mission has reduced, so has the size and the scope of the Corps of Engineers' mission. Despite the reduced mission and reduced number of deployed personnel, the Corps of Engineers remains prepared to support the Commander USF–I, the State Department, or the Government of Iraq as needed either by leveraging reachback to U.S.-based engineering services, or through a temporary surge of personnel. In all cases, the primary representative in providing all required support is the Transatlantic Division Commander.

*Question.* The U.S. Ambassador to Afghanistan.

Answer. The Corps of Engineers continues to provide an array of engineering and construction related services in Afghanistan generally to either the Commander, U.S. Forces Afghanistan (USFOR–A)/International Security Assistance Force (ISAF) or the State Department. The Corps of Engineers remains prepared to support the Commander and the State Department either by leveraging reachback to U.S.-based engineering services, or through a temporary surge of personnel, as required. In all cases, the primary representative in providing all required support is the Transatlantic Division Commander.

*Question.* Commander, U.S. Forces Iraq.

Answer. The Corps of Engineers has provided a broad array of engineering and construction related services in Iraq generally to either the Commander, U.S. Forces Iraq (USF–I), the State Department, or the Government of Iraq. As the size and the scope of the military's mission has reduced, so has the size and the scope of the Corps of Engineers' mission. Despite the reduced mission and reduced number of deployed personnel, the Corps of Engineers remains prepared to support the Commander USF–I, the State Department, or the Government of Iraq as needed either by leveraging reachback to U.S.-based engineering services, or through a temporary surge of personnel. In all cases, the primary representative in providing all required support is the Transatlantic Division Commander.

*Question.* Commander, U.S. Forces Afghanistan/International Security Assistance Force.

Answer. The Corps of Engineers continues to provide an array of engineering and construction related services in Afghanistan generally to either the Commander, U.S. Forces Afghanistan (USFOR–A)/International Security Assistance Force (ISAF) or the State Department. The Corps of Engineers remains prepared to support the Commander and the State Department either by leveraging reachback to U.S.-based engineering services, or through a temporary surge of personnel; as required. In all cases, the primary representative in providing all required support is the Transatlantic Division Commander.

*Question.* The State Governors.

Answer. The execution of the Corps of Engineers civil and military missions often demands a balancing of diverse interests. The proper reconciliation of these interests requires an understanding of the Corps' authorities and legal responsibilities and open communication among all parties. If confirmed, I am committed to working cooperatively with the Governors of the States for the public interest and pledge to establish and maintain a full dialogue with the Governors of the States on all issues we must cooperatively address.

CHAIN OF COMMAND

*Question.* Please describe your understanding of the chain of command for the Chief of Engineers on: (a) military matters; (b) civil works matters; (c) operational matters; and (d) any other matters for which the Chief of Engineers may be responsible.

Answer.

*(a) Military matters*

The Chief of Staff presides over the Army Staff and assists the Secretary of the Army in carrying out the Secretary's responsibilities. The Vice Chief of Staff has such authority and duties with respect to the Army Staff as the Chief of Staff, with the approval of the Secretary of the Army, may prescribe for him. As a statutory 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.

*(b) Civil Works matters*

The supervisory duties of the Assistant Secretary of the Army for Civil Works extends to all functions of the Army relating to programs for conservation and development of the national water resources—in other words, for all of what is known as the civil works program. The Chief of Engineers reports to the Assistant Secretary of the Army for Civil Works on civil works functions.

*(c) Operational matters*

The Chief of Engineers serves as a member of the Army Staff and as Commander of the U.S. Army Corps of Engineers. In this latter capacity, the Chief of Engineers commands nine engineer divisions and one engineer battalion. When employed in support of military contingency operations, these engineer assets fall under the command and control of the combatant commander designated for the particular operation.

*(d) Any other matters for which the Chief of Engineers may be responsible:*

The Chief of Engineers reports to each of the Assistant Secretaries within their areas of functional responsibility. For example, in the areas of installation and real estate management, the Chief of Engineers reports to the Assistant Secretary of the Army for Installations, Environment, and Energy. Similarly, the Chief of Engineers reports on procurement matters to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

*Question.* Who is responsible for providing direction and supervision to the Chief of Engineers in each of the four areas listed above?

Answer. In each of these areas, the Chief of Engineers acts under the overall authority, direction, and control of the Secretary of the Army. With respect to military matters, the Secretary has assigned to the Chief of Staff, the authority to preside over and supervise the Army Staff, including the Chief of Engineers. With respect to civil works functions, the Chief of Engineers reports to the Assistant Secretary of the Army for Civil Works. In operational contexts, command and control of engineer assets is exercised by the combatant commanders designated for the particular operation.

*Question.* In your view, are there any areas of responsibility where it would be inappropriate for the Chief of Engineers to provide information to the Secretary of the Army or the Assistant Secretary of the Army for Civil Works? If so, what areas and why?

Answer. No. Certain information may require protection from disclosure, as in the case of certain procurement sensitive information, however, even this information may be shared if appropriate steps are taken to protect sensitive and proprietary aspects of the information. The relationships between the Secretary of the Army and the Assistant Secretary of the Army for Civil Works and the Chief of Engineers must be founded upon information sharing, and full and open communication about all matters. If confirmed, I will ensure that all Secretariat officials are informed about issues and provided with all information pertinent to their functional areas of responsibility.

*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 functions of the Army Corps of Engineers?

Answer. As head of DOD, the Secretary of Defense has full authority, direction, and control over all elements within DOD. Similarly, as head of the Department of the Army, the Secretary of the Army has the authority necessary to conduct all affairs of the Department of the Army. Therefore, either Secretary could personally intervene in an issue involving the civil functions of the Corps of Engineers. However, the principal responsibility for overall supervision of the Corps civil works functions has been assigned to the Assistant Secretary of the Army for Civil Works by statute and various directives. Generally speaking, this supervisory responsibility includes the responsibility for setting program policies and for coordinating with the Department of the Army, DOD, Office of Management and Budget, and other executive branch officials on the Corps budget, legislative program, and other matters of program interest involving the Corps civil functions. In general, the Chief of Engineers is the engineering and construction expert responsible for carrying out the civil functions of the Corps and for conducting the various program, project, or study activities that comprise the civil works program. Typically, the Chief of Engineers does not interact with the Chief of Staff of the Army on a regular basis with respect to matters involving the Corps civil functions.

*Question.* The work of the Chief of Engineers often involves issues of great significance to the States and localities and their elected officials in Congress.

If confirmed, what would be your role in addressing such matters with Congress?

Answer. I agree this work often does involve issues of great significance to the States and localities and their elected officials in Congress. In fulfilling its statutory requirements, the Corps must interact positively to define an appropriate Federal role in addressing these issues that recognizes fiscal realities, environmental, and other societal considerations. The challenges the Corps faces are complex, and there are many difficult decisions to be made. It is important that all interests be brought to the table and that they be given a voice in the development of solutions to our Nation's problems. The Corps must be responsive to these interests and must engage in an open, constructive, and cooperative dialogue with the States, localities, and elected officials to ensure issues are resolved in a manner that maximizes the public interest.

*Question.* What is your understanding of the role of the civilian and military leadership of the Army Corps of Engineers in developing goals for Army Corps of Engineers programs and presenting these goals to the legislative branch?

Answer. The civilian and military leadership of the Corps of Engineers plays an important role in developing goals for Corps programs and in presenting these goals to the legislative branch. These goals are guided by the leaders' technical knowledge and understanding of Corps capabilities and by information gleaned from a variety of sources inside and outside the Corps of Engineers. The leaders' goals must promote the public interest, be affordable, and comport with existing law. Ultimately, the leadership's goals will set the direction and tone for the execution of the Corps missions, if embraced by the administration and Congress. Military and civilian leaders within the Corps play a pivotal role in shaping these goals, and in ensuring that the goals are supported by the executive branch and Congress. These leaders may be asked by Congress to give testimony on the goals or to answer questions about the goals. They must be prepared to enter into a full and constructive dialogue with Congress to ensure that the goals are understood by and endorsed by Congress as promoting the public interest.

QUALIFICATIONS

Sections 3031, 3032, and 3036 of title 10, U.S.C. prescribe some of the duties and responsibilities of the Chief of Engineers. Other civil works related responsibilities are described in title 33, U.S.C.

What background and experience do you have that you believe qualifies you for this position?

Answer.

*Background:*

- Undergraduate - Bachelor of Science Degree with concentration in Engineering from West Point (majors not offered at that time)
- Graduate - Masters Degree in Mechanical Engineering; Masters Degree in Civil Engineering (Structures); both from Stanford University
- Registered Professional Engineer in State of Virginia (License #18133)
- Associate Professor of Mechanical Engineering at West Point

*Experience:*

- Commander, B Company, 54th Engineer Battalion, Wildflecken Germany (Completed numerous construction projects; Recognized by Secretary of the Army and Army Chief of Staff as DA level Maintenance Company of the Year;)
- Executive Officer to Chief of Engineers 1993–1994 (supported the Chief of Engineers through many challenging issues including The Great Mississippi and Missouri Rivers Flood of 1993)
- White House Fellow, 1989–1990, Department of Veterans Affairs, Special Assistant to Secretary of Veteran Affairs (conducted review and concept development for Joint DOD–VA hospitals)
- U.S. Army Europe, Office of the Deputy Chief of Staff, Engineer. Significant contribution to the Concept Plan to drawdown Europe. Prepared leadership and participated in engagements with key staffers on Congress.
- Commander, 1st Engineer Battalion (led Task Force working with Government and State officials in fighting the 1994 Idaho Fires)
- Commander, Engineer Brigade, 1st Armored Division. Deployed to Bosnia and served as the Senior Engineer responsible for de-mining operation and the construction mission (interagency, joint, and combined work with over a dozen international partners; projects included building a hospital, barracks and cafeterias, a strategic airfield, water projects; port, bridge, road, rail preparations to bring 1st Cavalry Division into an unused Port of Rijeka, Croatia); deployed elements of the brigade in support of operations in Kosovo and provide engineering expertise to the leadership on the ground.
- Executive Officer to Chief of Staff of the Army, 1999–2001 (supported the chief in joint, interagency, congressional, media, and numerous other engagements)
- Deputy Director for Operations, J–3, The Pentagon, 2001–2002 (served on watch team working through the events of 11 September 2001, and the initiation of hostilities in Afghanistan)
- Assistant Division Commander for Support, and Assistant Division Commander for Maneuver, 1st Cavalry Division. Planned and executed the deployment of over 25,000 soldiers and equipment into theater)
- Gulf Region Division, Iraq, 2004–2005 (responsible for $18 billion of construction projects including water, sewage, transportation, electricity, oil, security, hospitals, schools, and several other areas)
- Commander, U.S. Army Recruiting Command, 2005–2009 (recruited the Grow the Army Force, during some of the most challenging times for the All-Volunteer Force; worked with local and national government officials, Congress, media, businesses, and education. Participated in the development of the "Army Strong" Campaign)
- Deputy Chief of Staff, G1 (managed the personnel policies and program to support 1.1 million soldiers, over 300,000 civilians and their families)

MAJOR CHALLENGES AND PROBLEMS

*Question.* The Army Corps of Engineers is facing a major, current challenge in the rising Mississippi River and the devastating toll it is taking on the people and property in the path of the flood waters. There are various other challenges that require the attention of the Army Corps of Engineers.

In your view, what are the major challenges confronting the next Chief of Engineers?

Answer. If confirmed, my first priority would be to meet with the Assistant Secretary of the Army for Civil Works, Corps Leaders, Army, DOD and administration leadership, as well as Members of Congress to seek their input into the major challenges confronting the next Chief.

In my view, the next Chief—and probably the next several Chiefs—must be concerned with the following issues.

Maintaining the technical competence and professionalism of the Corps. The Corps must build and maintain a skilled, agile, and disciplined workforce, equipped with the necessary resources, tools, and processes to serve the Army, DOD, and the Nation across the spectrum of engineering and infrastructure requirements. Additionally, the Corps must constantly evaluate and improve its business processes in order to become more efficient and effective in the execution of its missions.

Meeting the Army's infrastructure requirements in the post-BRAC era, as we operate in a more budget constrained environment. As the historic BRAC and MILCON workload declines, the Corps will adapt knowledge, skills, and capability

from that high-volume new construction program to an integrated suite of infrastructure solutions to installations. That will include adapting new or existing facilities to current operational standards, applying technologies for achieving energy and sustainability goals, and leveraging the Corps' strong capabilities to provide environmental services.

Sustaining the Corps' expeditionary capability to support overseas contingency missions. Since the beginning of the wars in Iraq and Afghanistan, the Corps has provided critical support for military and stability operations through both deployed and reach-back capabilities for delivery of facilities and infrastructure, command and control of engineer assets, training and deployment of technical teams, engineering reach-back services, and Army geospatial services for the warfighter.

Aging infrastructure. The Nation's water resource infrastructure constitutes an immense accumulation of assets requiring continual maintenance and periodic upgrades. Much of this infrastructure has reached or exceeded its design life and will require more extensive maintenance and/or rehabilitation in the near future. Unscheduled outages due to mechanical breakdowns have been increasing. Recently, the American Society of Civil Engineers gave the U.S. infrastructure an overall grade of "D" in 2011.

Constrained Federal budget. With an aging population and therefore more entitlement spending, we can expect less to be available for discretionary programs. The Corps will have to prioritize projects and programs with rigorous analysis to ensure the greatest value for taxpayer funds.

Energy and Sustainability. Developing the Nation's water resources in a sustainable way is one of the greatest challenges the Corps faces. This will require a cultural shift and lifestyle changes as well as technical innovation. An outgrowth of sustainable energy which is impacting U.S. Army Corps of Engineers (USACE) is a renewed interest in hydropower.

Vulnerability to natural and manmade disasters. The current flooding in the Missouri, Ohio and Mississippi River systems is a reminder of the power of these huge natural systems, and the difficult trade-offs which are required in their management.

Flood risk management. Since floods cannot be fully controlled, nor can all damages be prevented, the Corps' "flood control" mission is shifting into one of "flood risk management". Flood risks increase with the strong attraction of people to water. Many regions near water continue to grow in population and economic development in low lying areas is expanding. Flood risk management is also challenging because it is a shared responsibility with State and local governments, and individuals.

Increasing competition for water. A major driver of increasing demand for water is population, and the U.S. population of 308 million in 2010 is expected to reach 440 million by 2050. Energy production and manufacturing are also large users of water, and global climate change may impact water supply and demand in ways that are not yet well understood.

Governance. Since the responsibility for water resources is shared among multiple Federal agencies, States, local governments, tribes, interstate organizations, and the private sector, it is a challenge to coordinate roles and eliminate gaps in jurisdiction.

*Question.* If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I would establish priorities based on my assessment of the challenges and consultations with key Army and DOD leadership, Members of Congress, Corps leaders, and other stakeholders. I would seek broad input and be open to new strategies to successfully accomplish the Corps mission and achieve its goals. Competing water uses must be balanced to provide multiple benefits such as economic security, environmental health, social well-being, and public safety. Strategies for addressing the challenges outlined above will clearly be among the highest priorities.

*Question.* What do you consider to be the most serious problems in the performance of the functions of the Chief of Engineers?

Answer. Many of the Corps' missions require balancing disparate interests. The Corps must further the public interest while executing the assigned missions.

*Question.* If confirmed, what management actions and timelines would you establish to address these problems?

Answer. As previously discussed, if confirmed, my first priority will be to meet with the Assistant Secretary of the Army for Civil Works, Corps leaders, Army and DOD leadership, others in the administration, as well as with Members of Congress to seek their input in preparation for developing a plan to meet the various challenges. As an enterprise, the Corps must continue to evolve and improve its business processes in order to become more efficient and effective in the execution of its missions. I would go to the most critical areas with the greatest challenges to

make a personal and thorough assessment of the needs and to meet with stakeholders and officials.

*Question.* In your view, does the USACE need to make any changes in the way it operates and, if so, what changes would you recommend?

Answer. If confirmed, assessing the need for changes would be a top priority. Typically there are opportunities for improvements in any organization. I am confident that, in consultation with Congress, Corps partners and others within the administration, we could determine what, if any, changes are needed. 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 USACE 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 must continue to be flexible and continue to evolve if it is to continue to make important contributions to the Nation and respond to today's and future challenges.

*Question.* If confirmed, what priorities will you set for the USACE?

Answer. If confirmed, I would establish priorities based on my assessment of the challenges and consultations with key Army and DOD leadership, Members of Congress, Corps leaders, and other stakeholders. Strategies for addressing the challenges outlined above will clearly be among the highest priorities.

IRAQ RECONSTRUCTION

*Question.* What do you see as the major lessons learned for the USACE from reconstruction contracting in Iraq?

Answer. I believe an overall lesson learned by the Corps from the Iraq reconstruction mission is the need for a permanent organization to oversee the contingency missions, assess and implement the lessons learned, and to develop and sustain business practices for current and future contingencies. To address this need, the Corps established the Transatlantic Division (TAD) to provide direct engineering support in the U.S. Central Command area of operations.

Some of the more specific lessons learned in terms of program management include: the importance to develop well-defined requirements; the significance of the involvement and support from local officials; the importance to plan projects suited to local culture, requirements and capacity; the importance of capacity development to sustainments of projects; the necessity for a range of acquisition strategies for the diverse and evolving needs of the mission; the importance of use of established USACE business processes; and finally, the importance of planning to address security and logistics.

*Question.* What changes, if any, do you believe that the USACE should make to improve its processes for reconstruction contracting in future contingencies?

Answer. Contractor oversight and requirements definition are inherent challenges in contingency operations. The Corps must ensure that the many valuable lessons learned in Iraq and Afghanistan are institutionalized to improve ongoing activity and are ready for future overseas missions.

AFGHANISTAN RECONSTRUCTION

*Question.* In 2010, the Special Inspector General for Afghanistan Reconstruction (SIGAR) conducted an audit of Afghan National Police facilities in Helmand Province and Kandahar that found deficiencies in USACE implementation of quality assurance and quality control plans. SIGAR is also examining whether the USACE received security services from Global Strategies Group, Inc., at a reasonable cost and whether oversight of the contract was in accordance with Federal Acquisition Regulations and other applicable requirements.

What is your assessment of the adequacy and effectiveness of contract oversight by the USACE in Afghanistan?

Answer. Overall, I understand that the Corps recognized the need to increase the level of oversight of projects in Afghanistan. The Corps established a second District in Afghanistan in September 2009 and has increased its total staff. The Corps is also expanding the use of Afghan Quality Assurance Representatives to help to provide an experienced eye on construction projects at remote sites while also reducing costs and its security footprint.

It is my understanding that the SIGAR report on the Afghan National Police Headquarters recognized that oversight of the contracts was severely hampered by the security situation in Kandahar and Helmand provinces. I understand that the Corps has been working very closely with the contractor to correct deficiencies and complete the facilities at no additional cost to the government.

*Question.* What steps, if any, would you take if confirmed to improve contract oversight in Afghanistan?

Answer. If confirmed, I would ensure that the Corps is using all available procurement oversight and management assets and tools to the greatest extent possible. This would include ensuring the Corps is filling the necessary positions in theater with the right people, ensuring deploying qualified personnel are receiving the necessary training and support, maximizing the use of Afghan Quality Assurance Representatives, and employing technology such as remote sensing where possible.

AFGHANISTAN INFRASTRUCTURE PROGRAM

*Question.* The National Defense Authorization Act for Fiscal Year 2011 established the Afghanistan Infrastructure Program, under which the Secretary of Defense and Secretary of State are authorized to develop jointly high-priority, large-scale infrastructure projects in support of the civil-military campaign plan in Afghanistan, including water, power and transportation projects. Up to $400 million in DOD funding is authorized in support of these projects. Projects will be implemented by the U.S. Agency for International Development (USAID) and the USACE.

What do you see as the major challenges in implementing large-scale infrastructure projects under the Afghanistan Infrastructure Program?

Answer. USAID is the lead agency for the Afghanistan Infrastructure Program and the Corps provides engineering and construction support as requested. I would expect key challenges to include making sure that Afghan officials are involved closely in the process from the local to the ministerial level. Attention will need to be given to selecting projects suited to local, cultural needs and capacity. Another challenge will be the security environment and associated risks. Project planning and execution will also need to be coordinated with other projects and initiatives being undertaken in the theater. It is also important that projects support a master plan that has a high probability of support through changing Afghan leadership.

*Question.* If confirmed, what steps, if any, will you take to ensure coordination in the implementation of these projects between USAID and the USACE?

Answer. If confirmed, I will ensure that the Corps maintains a close working relationship with USAID and provides transparency at all stages of the process. The Corps has a colonel serving as the Chief of Staff to the USAID mission in Afghanistan and a liaison officer at the USAID headquarters in Washington. There are also Corps of Engineers personnel currently working for USAID in Afghanistan to provide subject matter expertise. I will make sure that these arrangements between the two organizations continue so that we continue our close coordination. I will also reinforce the need for a well coordinated team that provides any engineering and construction support that USAID requires.

NAVIGATION MISSION

*Question.* The USACE has built and maintains an intracoastal and inland network of commercial navigation channels, locks and dams for navigation. The Corps also maintains 300 commercial harbors and more than 600 smaller harbors.

What do you view as the greatest challenges facing the USACE 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 the Nation's aging infrastructure. Maintaining our ports and waterways is critical to our economic well-being. 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. My understanding is that the Corps is continually working to make dredging and placement of dredged material environmentally safe and acceptable. I believe that the Corps should continue these efforts and look for innovative ways to increase harmony between need for navigation improvements and our precious aquatic environment.

*Question.* What do you see as the most significant navigation projects planned for the next 10 years by the USACE?

Answer. I understand that many ports, gateways to domestic and international trade and overseas military operations, are operating at the margin in terms of channel depths. For coastal navigation, I see one of the greatest challenges to be working with the administration, Congress, other Federal transportation agencies, and navigation stakeholders to prioritize and pursue capital investments to prepare the Nation to maximize the opportunities for freight movement efficiencies associated with opening the new deeper Panama Canal locks in 2014. Clearly we must sustain the efficiency of our major ports to assure our competitiveness in world trade. In addition, segments of the inland waterways system are congested and are

in need of recapitalization or rehabilitation. The Corps must work with the administration, Congress, and inland waterways stakeholders to find solutions to the shortage in the Inland Waterways Trust Fund to allow the needed capital investments to move forward.

*Question.* What role, if any, do you believe the approval or disapproval of navigation industry groups should play in decisions made by the USACE about specific projects?

Answer. Decisions regarding Corps of Engineers projects are the responsibility of officials in the executive and legislative branches. For its part, the Corps should listen to its non-Federal sponsors, stakeholders, and other interested parties, and fully integrate economic, environmental, and social values. The Water Resources Development Act of 1986 established the Inland Waterways User Board and charged this board to report to the President and Congress on priorities for investment in the inland waterways system.

*Question.* In November 2000, the Army Inspector General found that three USACE officials had manipulated data in a cost-benefit analysis in order to justify a $1 billion project.

What is your understanding of the steps that the USACE has taken since 2000 to ensure that projects are appropriately analyzed and justified?

Answer. My understanding is that the Corps has made substantial changes to assure that projects are appropriately analyzed and justified. The Corps has strengthened its procedures for internal peer review and has adopted procedures for independent external peer review under guidance issued by the Office of Management and Budget and consistent with direction provided in the Water Resources Development Act of 2007. The Directorate of Civil Works now houses an Office of Water Project Review that is separate from project development functions. It is my understanding that a significant program of planning improvement continues to be undertaken, including strengthening planner capability, certifying planning models, utilizing national centers of planning expertise, and engaging decisionmakers throughout the planning process.

*Question.* If confirmed, what steps would you take to ensure that technical analyses conducted by and for the USACE are independent and sound?

Answer. If confirmed, I would evaluate the current process and be guided by the principle that Corps technical analyses be absolutely sound and the project evaluation process be transparent. The Chief of Engineers provides technical expertise on water resources issues throughout the Nation. Additionally, independent external reviews have contributed to reducing risk, and to improving, informing and reinforcing the recommendations of the Chief of Engineers. I would work to assure that these external reviews continue to be effectively integrated into the project development process, not added on at the end of the process. Integration of independent external review improves projects and will continue to assist the Corps in meeting the Nation's urgent water resources needs.

NATIONAL LEVEE SAFETY PROGRAM

*Question.* The USACE has been criticized for its failure to do more to protect New Orleans from catastrophic hurricane damage. The alleged failures of the Army Corps include: (1) the construction of a shipping channel that acted as a "superhighway" funneling the storm surge from Katrina directly into New Orleans; (2) the failure to properly evaluate the soil structure under the New Orleans levees; (3) the failure to adequately maintain the levees; and (4) the failure to construct levees sufficient to protect the city in the event of a direct hit by a strong hurricane.

What is your view of these criticisms?

Answer. The lessons of Hurricane Katrina and the resulting widespread failure and breaching of the levees has been a wake-up call for not only the Corps but everyone involved with the management of risks associated with levee systems. I understand that the Corps of Engineers initiated several analyses and studies of the potential causes and effects of the hurricane and the status of the hurricane storm damage reduction projects in the New Orleans area. As a result of these studies, the Corps also has developed and is in the final stages of constructing billions of dollars of improvements to the system that will provide the New Orleans area with risk reduction from the 1 percent event. I understand and appreciate the importance of continuing to study this issue and, if confirmed, will immediately learn more about the past, present and future work and the issues associated with the Corps' ongoing efforts in the New Orleans area and the Nation. In addition, the Corps has implemented a new policy of independent external peer review that follows the guidelines of the National Academies of Science for all studies, design, and construction of projects that have the potential for public safety concerns and significant eco-

nomic damage. A full and complete understanding of what happened in both the technical and decisionmaking arenas is an essential component of assuring it does not happen again.

*Question.* Do you see the need for any changes to the structure, processes, or priorities of the USACE as a result of the events in New Orleans?

Answer. I believe the tragedy of the events in New Orleans has caused some positive changes to the Corps over the last several years. Since Katrina, I understand that the Corps has implemented a strategic campaign to examine and improve all the major facets of how it delivers value to the Nation in the Civil Works and Military Programs missions. The Corps efforts have included the integration of concepts of risk, systems, and resiliency into policies, programs, and procedures and the assessment of its workforce competencies and plans for building a technically competent workforce to implement these practices. If confirmed, I plan to continue these efforts to assess whether any other changes may be needed.

*Question.* What is your understanding of the steps that the USACE is taking in the reconstruction of the New Orleans levees to protect the city from a recurrence of the tragic events of August 2005?

Answer. I know that the Corps of Engineers is involved in many ongoing reconstruction efforts in the New Orleans area, including improvements to the hurricane storm damage reduction projects. I know that the Corps is working towards designing and building an integrated system that will provide protection from a 100-year storm event. If confirmed, I will make it a priority to learn more about all ongoing efforts in this area.

*Question.* The USACE recently completed a nationwide river levee inspection process and identified numerous unacceptably maintained levees. Media reports quoted Corps of Engineers officials as acknowledging that past inspections were not documented adequately and that a shortage of inspectors has made it difficult for periodic inspections to be performed. The operation and maintenance of levee systems is a shared responsibility of State and local sponsors, however, there is enormous dependence on the USACE for inspection, identification of problems, risk assessment, and where required, rehabilitation.

What is your opinion of what the USACE and Federal, State, and local authorities need to accomplish in order to ensure that existing deficiencies in the national system of levees are addressed?

Answer. The Corps Levee Safety Program works continuously and periodically to systematically evaluate and communicate the risks associated with levees in its program authorities. I recognize that it is important that the Corps conduct its activities in concert with sponsors and stakeholders and share information obtained from the evaluation of levees. If confirmed, I will ensure that the Corps' evaluation activities are transparent to the public and coordinated with sponsors.

The management of risks associated with the Nation's levees is a shared responsibility among local, State, and Federal Government and the individuals that live and work behind them. My understanding is that the national scope of levees greatly exceeds the (approximately 15,000 miles) levees for which the Corps has authorities. The National Committee on Levee Safety (which the Corps of Engineers chairs but is a primarily non-Federal committee) has estimated that there may be as many as 100,000 miles of levees in the United States that are outside the current authorities of the Corps. If confirmed, I am committed to learning more of the details of these programs and how the Corps can continue to assist in this very important area.

*Question.* What steps would you take, if confirmed, to ensure that those levees representing the highest risk of failure and loss of life and property are rehabilitated?

Answer. Holding public safety paramount is the key principle for the Corps Civil Works mission. The Corps has developed a levee safety program that uses state-of-the-art practices in inspection, risk assessment and portfolio management to consistently identify, communicate, prioritize, and, where appropriate, reduce the risks for (approximately 2,000) levee systems within its authorities. Because these processes involve shared responsibilities, the Corps works closely with the Federal Emergency Management Agency, States, local governments and other stakeholders to coordinate our policies and programs, and ensure a common understanding of risks and comprehensive solutions that best address the need to improve system performance and reduce future flood risks. If confirmed, I will learn more about the results of the Corps' levee inspections and risk assessments and will work with all parties to determine best courses of actions as the Nation moves forward to addressing these issues.

HURRICANE KATRINA RELIEF AND RECONSTRUCTION CONTRACTING

*Question.* The USACE played a major role in contracting for reconstruction and relief in the wake of the major hurricanes of 2005.

What is your understanding of the major successes of the USACE in relief and reconstruction contracting?

Answer. The Corps of Engineers has a long tradition of providing disaster response assistance. The Corps was a major player in the Federal response to Hurricanes Katrina and Rita in 2005. In addition to deploying over 8,000 Corps employees to provide disaster support, it leveraged the expertise, capacity, and capabilities of the private sector to provide relief assistance. It is my understanding that a major contracting success is that of the Corps' program which utilizes "Pre-Awarded" contracts. This initiative provides the Corps with the ability to rapidly and effectively respond in order to execute major relief missions. After Hurricane Katrina, the Corps employed this initiative to rapidly provide emergency services. These contracts allowed the Corps to provide the initial assistance, while follow on contracts could be competitively awarded to provide additional capabilities and capacity.

*Question.* What is your understanding of the major failures?

Answer. I am not aware of any specific major failures; however, if confirmed, I will look into the lessons learned from this event, and other emergencies, and look for ways to improve the Corps' processes.

*Question.* What changes, if any, do you believe that the USACE should make to improve its processes for reconstruction and relief contracting?

Answer. From my experience with the Corps of Engineers, it is an organization that is constantly looking for ways to improve. I believe it is important that the Corps work closely with the Department of Homeland Security (Federal Emergency Management Agency (FEMA)), and other Federal and non-Federal partners, to improve the collective abilities to deliver required commodities and services in a timely, efficient, and cost-effective manner. The work that the Corps performed during Hurricane Katrina has been and will continue to be extensively audited and, if confirmed, I would look forward to continue to work with these agencies to implement collective actions and improvements to the Corps' processes.

*Question.* Press articles have described a process in which work was passed down from the USACE to a prime contractor, then to a subcontractor, then to another subcontractor—with each company charging the government for profit and overhead—before finally reaching the company that would actually do the work. In one such case, the USACE reportedly paid a prime contractor $1.75 per square foot to nail plastic tarps onto damaged roofs in Louisiana. The prime contractor paid another company 75 cents per square foot to do the work; that subcontractor paid a third company 35 cents per square foot to do the work; and that subcontractor paid yet another company 10 cents per square foot to do the work. In a second such case, the USACE reportedly paid prime contractors $28 to $30 per cubic yard to remove debris. The companies that actually performed the work were paid only $6 to $10 per cubic yard.

What steps do you plan to take, if confirmed, to ensure that the USACE does not pay excessive "pass-through" charges of this kind on future contracts?

Answer. While I am not personally familiar with these particular contracts, it is my understanding that the Corps of Engineers entered into competitive firm fixed price contracts in order to complete its mission. Existing procurement regulations address excessive "pass-through" charges. These regulations were not in effect at the time of the Katrina response. If I am confirmed, I will ensure that these regulations are complied with.

*Question.* Federal agencies, including the USACE, have been criticized for awarding sole-source contracts on the basis of "urgent and compelling circumstances" in the wake of Hurricane Katrina, even though some of these contracts were awarded long after the Hurricane took place or extended long beyond what could be justified on the basis of that disaster.

Would you agree that the "urgent and compelling" exception to competition requirements should be used to award a contract only on the basis of an event, or series of events, that is reasonably proximate in time to the contract award? Would you agree that the term of a contract awarded on the basis of the urgent and compelling exception to competition requirements should not ordinarily exceed the period of time the agency reasonably believes to be necessary to award a follow-on contract?

Answer. Yes, in general I believe that the "urgent and compelling" exception should be used only in the immediate wake of the disaster. I understand that the law requires competition except in very limited circumstances and believe that competition is vitally important. I also agree that the term of a contract awarded on

the basis of the urgent and compelling exception should not ordinarily exceed a reasonable period to award a follow on contract. However, any determination regarding the specific use of an "urgent and compelling" exception to competition should be looked at on a case-by-case basis. If I am confirmed, I will ensure that the Corps judiciously uses the "urgent and compelling" exception in compliance with the applicable statutes and regulations.

COMPETITION IN THE CONTRACT MANAGEMENT OF MILITARY PROGRAMS

*Question.* The USACE has historically been designated as the primary contracting agent for military construction (MILCON) projects carried out by the Department of the Air Force. However, in recent years, due to the perception of excessive overhead costs associated with the USACE, the Air Force sought to establish an organic contracting agency through the Air Force Center for Environmental Excellence in San Antonio, TX.

What is your view of whether the Air Force should be allowed to carry out a larger percentage of MILCON contracts?

Answer. The Corps of Engineers executes its military construction responsibilities in compliance with title 10 U.S.C. 2851, subsection (a), which provides that "Each contract entered into by the United States in connection with a military construction project or a military family housing project shall be carried out under the direction and supervision of the Secretary of the Army (acting through the Chief of Engineers), the Secretary of the Navy (acting through the Commander of the Naval Facilities Engineering Command), or such other department or Government agency as the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective completion of the project." DOD Directive 4270.5 establishes policies and responsibilities for the military construction program and the use of DOD construction agents in the design or construction of military construction program facilities.

The Corps of Engineers has successfully provided the Air Force military design and construction mission since the Air Force was established. I do not have an opinion on this specific issue at this time. If I am confirmed, I will review the matter and will work with DOD, the administration, and Congress to develop a position on this matter.

*Question.* In your opinion, what would the impact be to the USACE by allowing the Air Force to serve as their own contracting agent without limitations?

Answer. Congress passed a law in the early 1950s that designated the Army and the Navy as the DOD construction agents and specific certain assessments that needed to be completed prior to allowing another agent to execute the DOD-construction mission. If I am confirmed, I will review the matter and will work with DOD, the administration, and Congress to develop a position on this matter.

EFFICIENT MANAGEMENT PRACTICES IN THE ARMY CORPS OF ENGINEERS

*Question.* In a report to Congress dated February 1, 2007 and entitled "U.S. Army Corps of Engineers Response to Senate Report 109–254, Management of Military Programs in the United States Corps of Engineers, January 2007", the Commander of the U.S. Corps of Engineers stated that "through MILCON Transformation, USACE will gain economic efficiencies through design standardization of Army facility types, centralization of design activities in USACE Centers of Standardization, and focused business line contracting with regional acquisition strategies." The report also forecasted that savings from these efficiencies would be experienced by customers in later years after full implementation of transformation initiatives, possibly affecting rates charged by the Corps for supervision, inspection, and overhead.

Do you support the goals of the USACEs' plan for MILCON Transformation?

Answer. Yes. The goals of implementing a MILCON business process that seeks to reduce design and construction costs and delivery time and to build efficiencies through standardization of facilities and processes remain extremely important and relevant. The cycle of building, learning, adapting best practices and feeding this information back into the programming phase has resulted in more efficient and effective program execution.

*Question.* How do you assess the success of this program?

Answer. Based on what I know so far, the initiative to implement a transformed Army MILCON Business Process was extremely successful. Like any new process, there were lessons learned. Although a 2010 Government Accountability Office (GAO) report faulted the Army for not establishing clear baseline for measuring achievement of goals for cost and time savings, the report concluded that the Army did reduce the estimated cost of some facility construction projects and shortened building timelines during fiscal years 2007 through 2009. Perhaps the greatest benefits resulted from more consistent solicitations and delivery of a high volume of

standard facilities during this period. The MILCON Transformation initiative was a key factor enabling the successful execution and delivery of an unprecedented MILCON program during a period of very volatile market conditions. If confirmed, I will learn more about the program and strive to continue to build on its success. The transformed MILCON process provides a strong foundation for continued adaptation and refinement of facilities delivery processes to satisfy current and future program requirements.

*Question.* Are you aware of any customer concerns that you would want to address, if confirmed?

Answer. It is my understanding that Army installation customers have expressed a desire for more flexibility to accommodate local installation preferences that may conflict with Army facilities standards or standard designs. In an era of constrained staffing and resources, installations are also interested in an integrated system that results in delivery of a complete (ready to occupy) facility including furniture and information technology systems. I understand that the Corps is working with the Assistant Chief of Staff for Installation Management and the Installation Management Command to streamline processes for consideration of waivers to standards and standard designs. If confirmed, I will learn more about customer concerns and try to address them as appropriate.

*Question.* If confirmed, would you recommend any changes or improvements?

Answer. I believe that the Corps must continuously assess its facilities delivery processes and seek improvements to better satisfy program requirements and customer expectations. I believe that the Corps should produce more energy efficient designs to support Army objectives for compliance with energy mandates and reduced operating costs. I would give priority to ensuring that Corps design and construction techniques support energy mandates. Energy efficiency best practices are specific to the site (climate zone) and facility type. For instance, some areas of the country can take advantage of solar energy while wind energy might be more efficient in another area.

*Question.* Have the Corps' customers seen any benefits of MILCON transformation in terms of decreased costs for supervision, inspection, and overhead and improved delivery times for construction products?

Answer. I believe that customers have benefited from reduced supervision and administration costs to the. extent that contract cost savings have been achieved. This is because the Corps operates within a flat rate for supervision and administration (S&A) of MILCON projects based on a fixed percentage of the contract amount. This system provides for predictability and consistency for programming of projects. I also understand there has been a savings in design costs based on the use of standard designs and expanded use of design-build acquisitions. I understand that resources are tight and demands for them are high and, if confirmed, I commit to continue these transformation efforts to improving services while trying to maximize efficiencies.

*Question.* If not, when do you expect they will begin to see such benefits?

Answer. I believe the Army has realized savings as discussed above.

BUNDLING OF CONTRACTS BY THE CORPS OF ENGINEERS

*Question.* The USACE is faced with the significant challenge of carrying out construction requirements imposed by force structure changes due to Army modularity, wrapping up the 2005 round of Base Realignments and Closures, the implementation of the Integrated Global Presence and Basing Strategy, and most recently, the Army's initiative to grow the force. In response, the Corps plans to allow construction contractors to propose alternate types of construction, including pre-manufactured and modular buildings, to bundle projects for multiple buildings into one delivery order, and to rely on design-build acquisitions, which requires one contractor to provide both design and construction services. The net effect of these proposals will be to reduce the pool of qualified contractors able to bid on such large and complicated projects.

In your view, what benefits, if any would be gained by these initiatives?

Answer. The shift from the legacy practice of defining prescriptive requirements to performance based requirements and criteria allows the market to drive the solution that provides the most efficient and cost-effective means to comply with the facility requirements and criteria. Allowing a broad range of construction types allows contractors to adapt to changing market conditions and materials costs by proposing the systems that they can deliver most efficiently. During fiscal year 2008–2009 when the Corps construction program peaked, the construction market (both labor and material) was very volatile as a result of rising diesel fuel prices. Steel prices were up in one region, down in another, with similar conditions for concrete and

wood. Flexibility in design allowed more contractors to participate and offer their unique solutions based on the sector of the market where they had a competitive advantage.

*Question.* What are the risks to increasing the size and range of services required by these contracts?

Answer. The risks of combining multiple facilities into single large contracts include reducing the number of contractors that have the capability to perform the work, and reducing opportunities for small- and medium-sized businesses to compete as prime contractors. If confirmed, I will help the Corps continue to choose acquisition strategies designed to efficiently execute projects, provide competitive opportunities for industry, and achieve the small business goals. Packaging one or more facilities together in one delivery order is not a standard business practice, but may be appropriate for a very tight construction site or to satisfy unique phasing requirements.

*Question.* In your opinion, how can the Corps of Engineers ensure a healthy bid climate that allows for a full range of small- and mid-range businesses to compete for construction contracts?

Answer. I believe that proper acquisition planning that includes a level of market research commensurate with the requirements will identify qualified businesses interested in the specific procurements and the available competition in the market. Careful analysis of this information ensures the maximum level of competition by all qualified businesses and the ability to provide maximum opportunities for small business.

*Question.* In your opinion, what are the benefits and costs resulting from the Corps of Engineers' decision to accept a less permanent type of construction?

Answer. There has been no change to required facility service life for MILCON projects. The Corps' solicitations require a 50-year structure life, with a 25-year cycle for renovation or repurposing of facilities. When properly designed and maintained, all types of construction (wood, steel, concrete, or masonry) can achieve or exceed the 50-year target facility service life. The use of alternative construction types does not compromise the durability of the facility, but does permit facilities designs to be as cost effective and efficient as possible while complying with all applicable codes, life-safety standards and other requirements. The Corps has reviewed the issue of durability of alternative building systems and determined that design of a structure to building codes for service loads, wind, seismic forces, force protection and progressive collapse results in a very robust structure. A 2010 GAO report recommended DOD conduct additional study and analysis to assess the merits and long-term costs resulting from the use of alternative building materials and methods. If confirmed, I will work with DOD and the Corps to further assess this issue.

CONSTRUCTION SERVICES ACQUISITION METHODS FOR THE CORPS OF ENGINEERS

*Question.* In response to urgent requirements to complete military construction projects related to the 2005 round of Base Realignments and Closures (BRAC), the Corps adopted an integrated design bid build process with early contractor involvement. Various Corps districts used different versions of this process with disparate levels of success depending on the steps written in the contract to negotiate firm, fixed prices after contract award and during actual construction. In the case of the construction of a new hospital at Fort Belvoir, VA, costing more than $1 billion, the committee was notified in December 2010 that DOD was required to pay the contractor an additional $160 million as a payment for "firm-fixed price contract definitization" even though the facility was 80 percent construction complete and the cost was in excess to the amount that had been authorized by Congress. Representatives from the Corps briefed this committee in January 2011 that this process is being used in at least 19 other construction contracts.

Are you familiar with this process?

Answer. Yes, I am generally familiar with the use of Fixed Price Incentive Successive Targets (FPIS) contracts in general, and with the Early Contractor Involvement (ECI) methodologies developed by the Corps.

*Question.* Do you believe that it was beneficial to the Government to award military construction projects without a clear firm-fixed price at contract award? If so, why?

Answer. Yes. Considering the size, technical complexity, and time constraints for delivery of the Fort Belvoir Community Hospital and other large and complex facilities required to support implementation of BRAC 2005, the delivery timelines could not have been achieved while satisfying the functional and operational requirements using any traditional acquisition method. As the committee notes, the Corps has

used the Early Contractor Involvement (ECI) method for only about 20 MILCON projects. ECI is a specialized tool appropriate in unique circumstances. FPIS uses target and ceiling pricing, and a series of incentives, to determine a final price. This delivery method known as ECI has been used successfully to complete a number of quality projects with an expedited delivery schedule and includes a guaranteed maximum price that could increase if contractually appropriate scope changes arise. The hospital at Fort Belvoir was one of the pilot ECI projects awarded by the Corps and, I understand, a number of lessons learned have been identified as process improvements since that time and internal policies and procedures have been updated and continue to be updated.

*Question.* In your opinion, given the risk to the Government, should the Corps establish guidelines and standards for the use of this acquisition process?

Answer. It is my understanding that the Corps has been gathering lessons learned from its initial ECI experiences and is refining its processes and guidance. I also understand that management controls are in place that require each project proposing to utilize the ECI delivery method to be approved by the Headquarters, with subsequent approval of an acquisition plan by the Principal Assistant Responsible for Contracting. The Corps is also working with Defense Contract Audit Agency and Defense Contract Management Agency as part of its continuous learning and sharing.

*Question.* If confirmed, how would you ensure this process, if used, is managed in a way that does not expose the Government to a contract liability for amounts that have not been authorized by Congress?

Answer. If confirmed, I intend to continue the work which the Corps has begun to capture lessons learned from the ECI contracts which have been awarded; and to refine criteria and improve the guidance for the application of ECI. In addition, I will seek to increase outreach to other DOD elements and industry, to explore ways to refine our management and contract administration practices to limit cost growth when using this acquisition method.

ENERGY SAVINGS AND SUSTAINABLE DESIGN

*Question.* DOD has goals for the reduction of energy consumption in facilities as well as the adoption of sustainable design standards. As the largest design and construction agent for the Department for the execution of military construction contracts, the Corps will be responsible for a qualitative response to the needs of military customers to meet those goals.

How do you assess the expertise and professional education of the engineers in the Corps to be able to incorporate the latest technology and practices for energy consumption reductions and sustainable design in each military construction project?

Answer. The Corps has demonstrated great capability in achieving energy savings in design and construction with infusion of new technologies. In that regard, I believe that the Corps is on par with industry as our society learns how to build energy efficient and sustainable facilities. The Corps is actively engaged with the Army, the Department of Energy, and other partners to learn how to incorporate new technologies and design methods into our standard business processes. It is also training its staff in energy efficient design, sustainable and high performing building at all levels and in all disciplines.

*Question.* In your opinion, should this aspect of project design be subject to the request of the customer or established as a design standard for all Corps projects?

Answer. In my view, customers have the flexibility to define the requirements for their facilities within the constraints of applicable codes, Federal mandates, and DOD policy requirements. The Corps is seeking to standardize the best business practices and to define the types of technologies and design features that will optimize energy efficiency for the climate zone and facility type being provided. For example, the Corps is working to implement new processes to conduct energy savings modeling for every project at the planning or early design phase. They are also working toward performing a full building life cycle cost analysis of the energy efficiency options that make sense and are available to the customer. This will allow the customer to make an informed decision regarding initial investment cost and the total cost of ownership over the facility life cycle.

*Question.* In your opinion, how aggressive is the Corps in testing new technologies and products and then adjusting military specifications to be able to incorporate those technologies and products into facility designs?

Answer. There are many great examples of new technologies going into projects daily, however I believe the Corps can be more aggressive to institutionalize or make these technologies wide spread. The Corps has identified development of a

knowledge management capability as one of its Campaign Plan objectives, which will help improve the sharing of best practices.

PREFERENCE FOR DESIGN-BUILD CONTRACTS FOR MILITARY CONSTRUCTION PROJECTS

*Question.* Over the past 10 years, the Corps of Engineers has adopted the design-build (DB) process as the preferred contracting vehicle for the acquisition of facility construction, as opposed to traditional methods of design-bid-build (DBB) and in-house design. While DB contracts offer the opportunity for a designer and a construction contractor to work together earlier in the contract, thus reducing claims and change orders, the risk of user-requested changes increases and the role of Corps engineers in the design phase as well as contract oversight are diminished. In addition, the proliferation of contracted designs has greatly reduced the amount of in-house design performed by Corps engineers.

What is your view on the appropriate balance of DB, DBB, and in-house design work accomplished by the Corps?

Answer. In my view, it is important to carefully assess and make decisions regarding the acquisition strategy for each project in coordination with the customer early in the project development process. It is important to maintain an appropriate balance between DB and DBB methods in order to offer contractors a wide and varied opportunity to compete. Similarly, the Corps must balance the need to retain in-house design work to sustain technical competency with the need to provide design opportunities for the private architect-engineer community. These decisions are not driven by numbers of projects, but by the nature of the projects, the objectives of our customers, and the need to maintain a technically competent staff. Only through in-house design experiences can the Corps be prepared to provide the required technical and engineering skills required by its diverse missions.

*Question.* In your opinion, on what factors should the design and acquisition process recommended by the Corps to its customers be based on for each military construction project?

Answer. In my opinion, selection of the design and acquisition method should be based on the best tool available, considering the specific requirements of the projects and the objectives of the customer. For example, the need to define unique or specialized facility requirements during the design phase may make DBB the most appropriate tool. Renovation projects are often executed using the DBB method in order to reduce risk related to unknown as-built conditions. DB may be more attractive when the customer has well-defined functional requirements and criteria, or requires construction to fast track or start early—due to seasonal weather.

*Question.* Are you concerned about the impact of the amount of in-house design work on the capabilities of the engineering corps?

Answer. I am concerned that the Corps maintains the right balance of work to remain technically competent. I know the Corps has placed a great deal of focus on this issue as reflected in its Campaign Plan, and I will continue to maintain a focus on technical competency if I am confirmed.

*Question.* If confirmed, would you recommend any changes in the process and guidelines used by the Corps to determine the acquisition method for each military construction project?

Answer. If confirmed, I would seek consistency in acquisition processes and solicitations among Corps districts, in order to assist industry to better understand project requirements and improve the quality and pricing of their proposals. I would also place a priority on ensuring selection of appropriate design and contracting strategies to facilitate compliance with energy and sustainability requirements.

ENVIRONMENTAL ISSUES

*Question.* If confirmed, you will take charge of the largest construction program in the country. Virtually every major civil works project of the USACE raises environmental concerns.

What is your view of the appropriate balance between the missions and projects of the USACE and the National Environmental Policy Act and other environmental statutes?

Answer. I believe that the Corps can and must carry out its missions in an environmentally responsible manner. The Corps has a long record of coordinating its missions and planning its projects in compliance with the provisions of the National Environmental Policy Act and numerous other environmental statutes, consistent with the Corps' Environmental Operating Principals. Strong collaboration with other agencies and subject matter experts has led to better and more environmentally sensitive projects. If confirmed, I am committed to ensuring that Corps

projects are planned, constructed, operated, and maintained in such a manner as to avoid or minimize adverse environmental effects.

*Question.* The USACE is responsible for environmental restoration projects at Department of Defense Formerly Used Defense Sites (FUDS) and at Department of Energy Formerly Utilized Sites Remedial Action Program (FUSRAP) sites.

What do you view as the greatest challenges facing the USACE with respect to the execution of its environmental restoration mission?

Answer. It is my understanding that continuing to execute the vital cleanup mission, adapting new technologies to gain efficiencies, while always protecting the health and safety of the public and workers is perhaps the biggest challenge for the FUDS and FUSRAP programs. The Corps must continue to apply good science, adopt innovative effective technology, and apply good management practices that will increase remediation safety and efficiency and meet commitments to stakeholders. Effective interim risk management and public education programs are important to the process.

*Question.* Do you believe that goals established for environmental cleanup (including cleanup of unexploded ordnance) under these programs are realistic and achievable?

Answer. The Corps has aggressive goals for these programs and meeting those goals will be a challenge. Much of this work is conducted on private property and involves numerous stakeholders, many with conflicting agendas. If confirmed, I will continue to press for ways to perform the mission in the most efficient and effective manner possible.

*Question.* In the past, the USACE has not always been required to meet States' water quality standards in constructing and operating its water resources projects.

Do you believe that the USACE should be required to meet State water quality standards in constructing and operating USACE projects?

Answer. Yes. I believe that the Corps should be a leader in the environmental arena and, in most circumstances, should meet State water quality requirements.

*Question.* Section 404 of the Clean Water Act requires landowners or developers to obtain USACE permits to carry out activities involving disposal of dredged or fill material into navigable waters of the United States, including wetlands. For almost 2 decades, the stated goal of the Federal Government has been "no net loss of wetlands".

Do you support the goal of "no net loss of wetlands"?

Answer. Yes, I support the national no net loss goal. Wetlands are important to human health, the environment and the economy.

*Question.* Do you believe that we are currently meeting that goal?

Answer. I understand that the Corps is contributing to the national goal by requiring compensatory mitigation for unavoidable wetland impacts.

*Question.* What specific steps do you believe that the USACE should take to move us closer to the goal of "no net loss of wetlands"?

Answer. I understand that the Corps' Regulatory Program continues to use the best available science and information to ensure the ecological success of compensatory mitigation required to offset unavoidable impacts to waters and wetlands. Two of the Corps' regulatory performance metrics emphasize the need to ensure that compensatory mitigation for authorized impacts to aquatic resources is accomplished. Additionally, I understand that the Corps does have a database in order to trace wetland impacts and mitigation. If confirmed, I will ensure that the Corps continues to successfully operate its Regulatory Program towards the goal of "no net loss of wetlands".

RECRUITING AND RETENTION OF ARMY ENGINEERS

*Question.* In recent years, competition among employers for the services of highly qualified engineers has greatly increased.

What is your understanding of the Army's success in recruiting and retaining for careers sufficient numbers of highly-qualified officers and civilian employees for service in the USACE?

Answer. From what I understand, the Corps is very successful at filling civilian positions and usually has multiple highly qualified candidates for each position announced. Recruiting the right talent to meet the challenges and projected workload is critical to the success of the Corps. Although the current economy has contributed to recent recruitment successes, the Corps must be ready to recruit from a projected shrinking talent pool. One of the objectives in the Corps Campaign Plan is to establish tools and systems to get the right people in the right jobs, and then develop and retain this highly-skilled workforce. In order to accomplish these objectives, the Corps has trained a civilian recruitment cadre to interact with job seekers and mar-

ket the Corps of Engineers as an employer of choice. It is also my understanding that the Corps of Engineers generally does very well in helping to recruit and retain military officers. More officers are interested in branching Engineer and serving with the Corps of Engineers than the Army has authorizations to fill. Over the past several years, the Army has made significant progress to increase the percentage of incoming Engineer officers with engineering and other technical degrees. Many Engineer officers later earn Masters' degrees in engineering or related fields as well as professional certifications such as Professional Engineer (PE) and Project Management Professional.

*Question.* What do you view as the Corps of Engineers greatest challenge in meeting its manpower and training and education requirements?

Answer. The Corps has been successful in recruiting and retaining needed manpower. I believe that the greatest challenge will come as the economy improves and private industry begins to actively hire engineers, scientists, and other professionals. Many Corps employees are project funded; paying salaries during training periods has been a challenge and limits the amount of time employees can spend in a training status. However, I recognize the vital importance of continuing to identify competency strengths and gaps and then determining the training, education, experience, and resources to close those gaps.

*Question.* What steps would you take if confirmed to ensure that the Army improves its attractiveness to highly qualified individuals for service in both the Active and Reserve components and in the civilian workforce?

Answer. In addition to the programs previously mentioned, I would definitely support the Office of Personnel Management, DOD, and Department of Army in their efforts to streamline and shorten the Federal hiring process. Speed of hiring talent at all levels is important in order not to lose the best candidates to other employers. Also important is having an efficient and painless "on-boarding" process for new employees. The way new personnel are welcomed into the organization plays a significant role in whether they stay with the organization. Since Public Law 109–163, the National Defense Authorization Act for Fiscal Year 2006, the Department has had the mandate to assess existing and future competencies needed to accomplish its missions. The Army is doing that through use of the Competency Management System.

The Corps of Engineer uses the Cadet District Engineer Program to bring Reserve Officers' Training Corps and U.S. Military Academy cadets into the Corps between their junior and senior years. This program introduces the cadets to engineering projects and gives them 3 weeks of hands-on experience. Approximately 40–50 cadets participate each summer. As stated previously, the Engineer branch vigorously recruits cadets with technical degrees and other appropriate qualifications for commissioning as Engineer officers. After commissioning, most Engineer officers serve with troop units through company command. The Human Resources Command places highly-qualified and competitive officers to serve with the Corps in various capacities. With over 75 percent of Engineer units in the U.S. Army Reserve and Army National Guard, there is a tremendous reservoir of talented Engineer officers in the Reserve components. The Army could not meet all Engineer manning requirements without them. These Reserve component officers serve in a variety of critical positions alongside Active component military and civilian personnel. If confirmed, I would continue to support these great recruitment efforts and look for additional ways to improve the Corps military and civilian workforce.

HUMAN CAPITAL PLANNING FOR THE CIVILIAN WORKFORCE

*Question.* DOD is developing a comprehensive human capital strategic plan for its Federal civilian workforce which is intended to identify critical skills and competencies needed in the future civilian employee workforce, as well as a plan of action for developing and reshaping the Federal civilian workforce.

If confirmed, how would you approach the task of identifying gaps in needed skills in the USACE workforce and ensuring that adequate resources, training, and professional developments efforts are undertaken to achieve the Corps' workforce goals?

Answer. If confirmed I would serve as the Army Functional Chief for over 106 Army Civilian Engineering and Science occupations covering professional, blue collar, non-appropriated fund, and foreign national employees and would be responsible for instituting holistic life-cycle career management. I would continue the work the Corps has done to identify competencies for mission critical occupations, assess competencies and institute strategies to close competency gaps. I would continue refinement of professional development maps for all assigned occupations and will utilize the Corps Leader Development Program that incorporates the Army's Civilian

Education System to promote an environment of continuous learning and leader development.

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 Engineers?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOSEPH I. LIEBERMAN

CORPS' SPENDING BUDGET

1. Senator LIEBERMAN. Lieutenant General Bostick, we all know there is a large backlog of projects that are not being carried out by the U.S. Army Corps of Engineers (Army Corps) due to lack of funding, and that was true even before our current budget crisis. Now that we will likely see cuts across many programs, how will the Army Corps determine which projects to fund?

General BOSTICK. I am aware of the significant construction backlog that exists within the Civil Works program. I am also aware of the current budgetary constraints that face this great nation. If confirmed, I will work within the administration and with Congress to ensure that the process used by the Corps of Engineers will continue to be performance based, making the best overall use of available funds by prioritizing projects that provide the greatest return on investment to the Nation.

2. Senator LIEBERMAN. Lieutenant General Bostick, many ports and harbors in my State are small by comparison, but act as the lifeline to the community, allowing our shellfishermen to head out every day, and our recreational boating industry to attract summer tourists. Without Congress' ability to provide suggestions through the traditional appropriations process, I fear that the Army Corps will continue to focus on dredging our large ports, and our small ports and harbors will be neglected. How will you balance the needs of the large industrial ports with the needs of the small industrial, recreational, and fishing harbors?

General BOSTICK. I am aware of the ongoing discussions that are taking place throughout the country on the need for safe and reliable waterborne transportation systems for the movement of commercial goods and for national security needs. If confirmed, I will work within the administration and with Congress to ensure the maintenance of those inland and intracoastal waterways, coastal channels and the ports and harbors for which the Corps of Engineers has responsibility to maintain, will be accomplished in a manner that best supports the Nation's economy.

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

3. Senator LIEBERMAN. Lieutenant General Bostick, the Environmental Protection Agency (EPA) has so far failed to proceed with a Supplemental Environmental Im-

pact Statement (SEIS) for eastern Long Island Sound's dredged material disposal options. This is of grave concern to the maritime industry in Connecticut, as well as Submarine Base New London, since failure to complete an SEIS would have effectively shuttered our two existing dredged material disposal sites. Thankfully, after working with Army Corps officials from the New England District, I was able to have legislative language passed that would keep those two sites open an additional 5 years. What will you do to try to ensure that the SEIS proceeds as was promised a decade ago, so that the eastern half of Connecticut will not lose the ability to dredge its ports and harbors in a cost effective manner?

General BOSTICK. It is my understanding that the U.S. Environmental Protection Agency (EPA) has the only authority to designate a long-term ocean dredged material placement site under section 103(b) of the Marine Protection Research and Sanctuaries Act. It is also my understanding that the Corps of Engineers continues to coordinate with EPA in this matter and has provided information to EPA to assist. I understand the importance of adequate dredged material disposal sites in Long Island Sound and, if confirmed, will ensure that the Corps continues to do all it can to appropriately assist EPA in its requirements.

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QUESTIONS SUBMITTED BY SENATOR MARK BEGICH

ENVIRONMENTAL MISSION CHALLENGES

4. Senator BEGICH. Lieutenant General Bostick, there are over 300 formerly used defense sites (FUDS) and service sites in Alaska. Much of the environmental contamination impacts Alaska Natives and their villages, like those on Saint Lawrence Island. Environmental restoration at many of these sites will not be completed for years. In your view, what is the greatest challenge facing the Army Corps with respect to the execution of its environmental mission?

General BOSTICK. The Corps of Engineers' environmental mission involves multiple programs supporting the Department of Defense (DOD), the Department of the Army and non-DOD customers. For example, these programs include not only FUDS, but the Army Environmental Restoration Program, the U.S. Environmental Protection Agency's Superfund Program, the Army Civil Works Formerly Utilized Sites Remedial Action Program, the Native American Lands Environmental Mitigation Program (NALEMP) which has the vast majority of its projects in Alaska. Each environmental program presents its own unique challenges with support tailored to each customer's requirements. Overall, I see the greatest challenge is to efficiently and effectively mitigate the risks to human health and the environment, to communicate well with the public and to engage strategically with environmental regulators and stakeholders, while working within the resources made available to each program.

The NALEMP program is a DOD program administered by the Corps which provides funding to local Native American communities to address environmental issues which are a result of DOD activities impacting Native American lands. The majority of the program has been focused on FUDS properties in Alaska and has assisted in the characterization and removal of environmental concerns while promoting Native American entities winning and executing projects using DOD funds provided through Cooperative Agreements.

Concerning the FUDS program, the Army Corps currently executes the program on behalf of DOD and Army. DOD budgets for the program. The FUDS program has approximately 7,000 properties with an estimated 1,800 sites remaining to be completed with a current cost to complete of approximately $14 billion. There are many challenges working with property no longer under DOD control but, if confirmed, I will ensure that the Corps continues to work with stakeholders to meet those challenges.

5. Senator BEGICH. Lieutenant General Bostick, if confirmed, what recommendations would you have for addressing those challenges?

General BOSTICK. In addressing these challenges, I would recommend that the Corps of Engineers strives to continually improve execution, first by applying experiences gained via lessons learned throughout all environmental programs, second by utilizing innovative and greener solutions and concurrently engaging industry, and lastly by incorporating regular feedback that is continually being sought from the public, customers and stakeholders. For instance, in the cleanup of unexploded ordnance, a particular need is better site characterization technology, more effective interim risk management and public education programs until such time that all

lands impacted by unexploded ordnance can be remediated, all of which are being addressed by FUDS program personnel.

6. Senator BEGICH. Lieutenant General Bostick, are the goals set for environmental cleanup realistic?

General BOSTICK. I believe the Corps of Engineers has aggressive goals for conducting environmental cleanup set in conjunction with the Army, DOD and non-DOD customers. While meeting those goals will be a challenge, I believe they are achievable if adequate resources are made available on a timely basis. Much of the Corps environmental work is conducted on private property that may not have been used by the Federal Government for decades and involves numerous stakeholders, many with conflicting priorities, some of whom may be potentially responsible parties. If confirmed, I will continue to press for ways to perform the mission in the most efficient and effective manner possible.

SMALL BUSINESS CONTRACTING

7. Senator BEGICH. Lieutenant General Bostick, in recent years Congress has encouraged the agencies, particularly DOD, to increase competition for contracts. However, there is still an obligation of the agencies to utilize small businesses. In your opinion, how can the Army Corps ensure a bid climate that allows small- to mid-range businesses the opportunity for contracts?

General BOSTICK. The Corps of Engineers must continue to ensure a bid climate that allows small businesses the opportunity to compete to the maximum extent possible. Market research and industry responses to sources sought synopses are the key to discovering small businesses' capabilities and the best way to structure procurements for construction, supplies and services. Information gained from industry during the sources sought process allows the Corps to develop acquisition strategies that consider small business participation as both prime contractors and subcontractors. While there is not a specific category for set aside of procurement actions for mid-range businesses, the Corps works to be as inclusive of all business sizes as possible, whether as a prime contractor or a subcontractor. If confirmed, I am committed to creating opportunities for small business participation in Corps projects. I will ensure that this continues to be a focus for the organization as a whole.

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QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

DELIVERY OF PROJECTS OF REGIONAL IMPORTANCE AND NATIONAL SECURITY

8. Senator CHAMBLISS. Lieutenant General Bostick, how do you plan to handle projects of undisputed regional significance which have opposition from an individual State for political purposes?

General BOSTICK. If confirmed, I would ensure that the Corps of Engineers would work with the leadership of the affected states to attempt to resolve any differences or issues. If a mutual resolution could not be reached, the Corps would continue to evaluate the project on its own merits to determine if it is in the Federal interest to pursue the project.

TRI-STATE LITIGATION ON APALACHICOLA-CHATTAHOOCHEE-FLINT RIVER SYSTEM

9. Senator CHAMBLISS. Lieutenant General Bostick, the 11th Circuit opinion overruling the 2009 Magnuson decision remanded to the Army Corps the decision on whether [after having the breadth of its statutory authority under the 1946 Rivers and Harbors Act (P.L. 79–525) and the Water Supply Act of 1958 (P.L. 85–500)] the Army Corps will be able to grant Georgia's 2000 water supply request. We have been told that work is on track for completion by late June 2012. Do you expect that the Army Corps will be able to meet this deadline?

General BOSTICK. Yes, my understanding is that the Corps of Engineers intends to complete the analysis that the Court of Appeals has directed by the end of June 2012.

10. Senator CHAMBLISS. Lieutenant General Bostick, what do you believe is the extent of Army Corps authority to allocate storage for water supply in light of the 11th Circuit's ruling?

General BOSTICK. I am not familiar with the details of the 11th Circuit's ruling or the legal authorities at issue. I understand that the Corps of Engineers is currently evaluating the extent of its authority to operate Lake Lanier for water sup-

ply, and intends to complete its analysis and provide its answer in accordance with the Court of Appeals ruling by June 2012.

11. Senator CHAMBLISS. Lieutenant General Bostick, as part of this analysis, do you believe that the Army Corps will make the decision to credit return flows?

General BOSTICK. I am unaware of the Corps of Engineers' existing policies on return flows. My understanding is that the Corps' analysis is focused on the specific instructions provided in the 11th Circuit's ruling. I do not know whether that analysis, once it is completed, will include any legal or policy determinations regarding return flows.

12. Senator CHAMBLISS. Lieutenant General Bostick, in your opinion, how much direction do you feel that the 11th Circuit decision has given the Army Corps?

General BOSTICK. I am not familiar with the details of the 11th Circuit's decision. I understand that the Court of Appeals has remanded the matter to the Corps to make certain determinations that are within the Corps of Engineers' discretion, and has given the Corps specific instructions as to the issues it should address.

13. Senator CHAMBLISS. Lieutenant General Bostick, what is the degree to which you feel that individual States will have influence over the Army Corps as it prepares its decision on this matter?

General BOSTICK. My understanding is that the Court of Appeals has remanded the matter to the Corps of Engineers to make certain determinations that are within the Corps' discretion, according to the Corps' interpretation of applicable law. I also understand that after the Corps determines the extent of its authority, prior to making any final decisions on how to operate the Apalachicola-Chattahoochee-Flint system, the Corps will involve the States and the public as appropriate. I expect that the Corps will take into account the views of all affected States in that decisionmaking process

PERMITTING NEW WATER SUPPLY RESERVOIRS

14. Senator CHAMBLISS. Lieutenant General Bostick, we have received word that the EPA may be urging the Army Corps to do an Environmental Impact Statement (EIS) on all new reservoirs due to the cumulative effects of reservoirs as they are put into use. An EIS on all new reservoirs is, of course, costly in terms of both time and money. Do you feel that an EIS for all new non-Federal reservoirs is necessary?

General BOSTICK. I am not familiar with the details of any current permit applications for new water supply reservoirs, or the environmental reviews that may be associated with those permits. Moreover, I do not know what advice U.S. Environmental Agency may have given on this matter. I do expect that the Corps of Engineers will comply with all applicable legal requirements in any permitting process.

15. Senator CHAMBLISS. Lieutenant General Bostick, how do you foresee the Army Corps handling this issue?

General BOSTICK. I am not familiar with the details of any current permit applications for new water supply reservoirs. I expect the Corps of Engineers to comply with all applicable legal requirements in any permitting process.

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QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

CORPS OF ENGINEERS PRIORITIZATION

16. Senator WICKER. Lieutenant General Bostick, historically, most Army Corps civil projects have been carried out through congressional direction, primarily through authorizations made in the Water Resources Development Act. In 2010, Congress refrained from authorizing directed spending for specific projects. This moratorium on directed spending will likely remain for the foreseeable future. Under these circumstances, how will the Army Corps prioritize funding for projects across the country?

General BOSTICK. If confirmed, I will work within the administration and with Congress to ensure that the process used by the Corps of Engineers will continue to be performance based, making the best overall use of available funds by prioritizing projects that provide the greatest return on investment to the Nation.

17. Senator WICKER. Lieutenant General Bostick, do certain regions have a higher priority compared to others?

General BOSTICK. The Corps of Engineers does not place higher priority on different regions of the country. If confirmed, I will work within the administration and with Congress to ensure the emphasis in development of the Civil Works program will be on investments in the Nation's infrastructure that funds constructing, maintaining and operating critically important water infrastructure in every state of the Nation that contributes to the Nation's economy and quality of life. I will support management, restoration, and protection of the Nation's water, wetlands, and related resources.

18. Senator WICKER. Lieutenant General Bostick, how will the Army Corps prioritize support for projects that serve a national purpose, such as repairing and maintaining the Mississippi River and Tributaries (MR&T) Project?

General BOSTICK. I am aware of the great flood of 2011 and the extensive damages that occurred throughout the middle and northeast areas of our country. I am also aware that the infrastructure operated and maintained by the Corps of Engineers prevented damages in excess of $110 billion in the Mississippi River watershed alone. If confirmed, I will work within the administration and with Congress to ensure that the funding made available to the Corps, including the MR&T, for the repairs and recovery from this historic event, will be executed as quickly as possible, especially those critical repairs to protect life and public safety.

HARBOR MAINTENANCE TRUST FUND

19. Senator WICKER. Lieutenant General Bostick, ensuring the safety and uninterrupted operation in our Nation's ports is essential to commerce, trade, and America's economic prosperity. However, many of our country's ports face critical maintenance needs for which the Army Corps claims it has insufficient funding. This includes the requirement for congressionally-mandated routine dredging to maintain our ports at their authorized depths. Could funds made available from the Harbor Maintenance Trust Fund be a viable option to address the shortfall of Federal funding to carry out critical dredging needed by our Nation's ports?

General BOSTICK. I am aware that our Nation's ports, harbors, and waterways are vital components of the Nation's transportation system. I am also aware of the current budgetary constraints that face this great nation. Since spending from the Harbor Maintenance Trust is dependent on congressional appropriations, Congress would have to appropriate the additional funds and provide a corresponding increase in the Corps' Civil Works budget, or offsetting reductions would have to be taken from other Civil Works mission areas. If confirmed, I will work within the administration and with Congress to ensure the Corps of Engineers civil works projects are prioritized based on maximum benefits to the Nation for all its missions within the limitations of the overall budgetary constraints.

20. Senator WICKER. Lieutenant General Bostick, do you believe utilizing funds deposited into the Harbor Maintenance Trust Fund each year to dredge and maintain ports would impact the financial solvency of the Fund?

General BOSTICK. I understand that the Harbor Maintenance Trust Fund is made up of receipts collected in the form of an ad valorum tax on imports and interest earned on the balance in the Trust Fund. These revenues then reimburse the Corps of Engineers for expenditures on eligible navigation projects. I am not familiar with the specific details or the inner workings of this fund. I am told that utilization of the HMTF balance is being discussed within the administration. If confirmed, I will work within the administration and with Congress on this issue of critical importance to the Nation.

LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN

21. Senator WICKER. Lieutenant General Bostick, the recent practice of DOD to require construction of green buildings to meet certain standards of Leadership in Energy and Environmental Design (LEED) has discriminated against various U.S. products and may have harmed competitiveness. How will the Army Corps ensure its Federal construction of any green building will allow all green rating systems to be considered when adopting green building standards?

General BOSTICK. The Corps of Engineers is committed to achieving full and open competition in design and construction services and it is never the Corps' intent to implement any policy that would discriminate against various U.S. products or harm competitiveness. In making a decision on what certification standard to apply, I believe it is important that it achieves a high performance and sustainable build-

ing, identified by a minimum standard of performance, a certification that is widely accepted and recognized by industry. If confirmed, I will ensure that the Corps continues working with its Federal partners, as well as its customers, to influence and implement sustainable building requirements that support full and open competition.

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## QUESTIONS SUBMITTED BY SENATOR ROB PORTMAN

### CONFINED DISPOSAL FACILITIES

22. Senator PORTMAN. Lieutenant General Bostick, in the Great Lakes, certainly in Lake Erie, dredged material has traditionally been placed in Confined Disposal Facilities (CDFs). Projected costs for new CDFs make it substantially unlikely that new CDFs would be the preferred option. In Ohio, substantial work has been done to develop new upland uses for sediment, yet current Army Corps procedures seem to favor short-term disposal costs versus life-cycle asset growth and utilization. Can you please share your views on how the Army Corps can best support local efforts to develop alternatives to costly CDFs?

General BOSTICK. It is my understanding that the Corps of Engineers seeks to accomplish its navigation mission through the Federal Standard, which is defined as the least costly, environmentally acceptable dredged material placement method. I would expect periodic testing and discussions with environmental resource agencies to assure the Federal Standard is maintained and placement costs are minimized. If confirmed, I would support the Corps continuing to work with non-Federal sponsors and interested parties to explore all methods to best accomplish the mission within the law.

23. Senator PORTMAN. Lieutenant General Bostick, would you support the Army Corps' reliance on locally developed engineering solutions for sediment management?

General BOSTICK. I would expect the Corps of Engineers to cooperate and collaborate with non-Federal sponsors and third party engineering firms experienced in sediment management to ensure that dredged material placement is accomplished in accordance with all applicable laws and environmental regulations and in the least costly manner to the U.S. taxpayer.

### ARMY CORPS PROCEDURES

24. Senator PORTMAN. Lieutenant General Bostick, concerns have been raised in a variety of venues regarding the pace and complexity of Army Corps procedures. The widely held perception is that the Army Corps is more focused on its process and procedures and narrow application of its rules than it is to actually achieving useful, effective outcomes in a timely manner. Can you please share your views about what plans, if any, you may bring to reform and streamline Army Corps procedures?

General BOSTICK. I understand that the Corps of Engineers has been criticized for taking too long and costing too much to deliver essential services to the Nation. I believe that Corps leadership clearly understands that past strategies for planning, designing, constructing, operating, maintaining, repairing, replacing, and rehabilitating our infrastructure must be adapted to become leaner and more responsive to meet present needs. It is my understanding that the Corps currently has initiatives underway to improve project and program delivery. If confirmed, I will actively support the ongoing efforts and initiatives as well as others to make the Corps more efficient and effective.

25. Senator PORTMAN. Lieutenant General Bostick, there is also a sense that, when challenged, the Army Corps tends to adopt a highly self-protecting, defensive posture—preferring to protect its own policies and institution rather than accommodate and positively respond or adapt to concerns. Do you think the Army Corps needs to reform itself to become more accommodating, adaptable, and responsive to local concerns?

General BOSTICK. The Corps of Engineers understands the need to consider local concerns and to be responsive to those concerns. In the recently published Civil Works Strategic Plan, one of the six strategies highlighted is Collaboration and Partnering-Building and sustaining collaboration and partnerships at all levels to leverage funding, talent, data, and research from multiple agencies and organizations to be more responsive to the public. Partnerships among Federal agencies,

tribes, local entities, and private not-for-profit create efficiencies when scarce resources are combined toward common aims. If confirmed, I will support all efforts to ensure that the Corps is appropriately responsive to local concerns.

26. Senator PORTMAN. Lieutenant General Bostick, do you think the Army Corps is as efficient and cost-effective as it can be with shrinking fiscal resources?

General BOSTICK. Any large organization can become more efficient and effective. If confirmed, I will make every effort to continuously improve and make the Corps of Engineers as efficient and effective as possible.

27. Senator PORTMAN. Lieutenant General Bostick, if confirmed as Commanding General, what plans, if any, would you have to make the Army Corps more efficient, with a modern business model?

General BOSTICK. The current Corps of Engineers' business model is quite flexible. By leveraging private sector architect-engineer resources and private sector construction firms, while keeping a relatively small cadre of Federal employees, I understand that the Corps was able to accomplish a tripling of workload over the past 5 years with virtually no increase in the number of Federal employees. But this business model can be improved. If confirmed, I will reexamine the Corps' business model and make every effort to employ modern business practices to make it as efficient and effective as possible.

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## QUESTIONS SUBMITTED BY SENATOR LINDSEY GRAHAM

### NATIONAL EXPORT INITIATIVE

28. Senator GRAHAM. Lieutenant General Bostick, what benefits to this Nation does the Army Corps provide as we grow our economy through a resurgence of manufacturing, a modernization of the country's infrastructure, and the doubling of exports as described in President Obama's National Export Initiative?

General BOSTICK. I believe that the Corps of Engineers continues to provide safe, reliable, cost-effective and environmentally sustainable transportation on its inland waterways and coastal channels and harbors in order to move commerce between the Nation's agricultural and manufacturing centers and its coastal ports to facilitate exports and imports of goods.

### MODERNIZATION OF PORTS

29. Senator GRAHAM. Lieutenant General Bostick, how specifically can the Army Corps modernize our port infrastructure by reengineering our feasibility study process to be more responsive to global trends in shipping and trade that allow bigger ships to call upon our terminals either through the Panama Canal or the Suez Canal?

General BOSTICK. I believe that the Corps of Engineers must be as efficient as possible in order to address the needs of the Nation. It is my understanding that the Corps has undertaken a number of recent initiatives to modernize its feasibility study process and strengthen its analyses of modernizing ports. This will result in shorter study timeframes and more responsive feasibility reports.

To strengthen its analyses of ports, the Corps is improving its analytic procedures, methods of production, and understanding of the evolving global environment. Because navigation economic analysis is such a specialized field, the Corps established the National Deep Draft Navigation Planning Center of Expertise as a mandatory center for the production of all deep draft navigation related economic analyses. If confirmed, I am committed to ensuring that the Corps is utilizing all possible tools to ensure consistent treatment across all studies nationally, which ultimately helps the Corps maintain the critical mass of expertise needed for conducting deep draft navigation economic studies in the most streamlined manner.

30. Senator GRAHAM. Lieutenant General Bostick, if confirmed as Chief of Engineers, you will oversee Federal aspects of domestic port operations. Do you view the Army Corps as the agency with the requisite expertise and obligation to recommend a port modernization strategy to the administration and to Congress?

General BOSTICK. The Corps of Engineers is a premier public engineering organization, and I believe the Corps has the expertise, working in collaboration with other Federal agencies, to develop a port modernization strategy and to follow through with improvements and maintenance of its coastal ports and channels and

inland waterways. The Corps is also taking a leadership role in the committee on the Marine Transportation System, which is enhancing Federal collaboration.

31. Senator GRAHAM. Lieutenant General Bostick, as DOD's budget shrinks in response to austerity measures, how would you prioritize which ports to invest in absent a comprehensive modernization strategy or a merit-based system of allocated funds?

General BOSTICK. The Corps of Engineers develops its Civil Works budget by placing priority for funding to those projects with the highest economic and environmental return to the Nation. In the absence of a comprehensive modernization strategy, the Corps would continue to fund those projects which provide the greatest potential economic and environmental return to the Nation.

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[The nomination reference of LTG Thomas P. Bostick, USA, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*April 6, 2011.*

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

The following named officer for appointment as the Chief of Engineers/Commanding General, U.S. Army Corps of Engineers, and appointment to the grade indicated in the U.S. Army while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

*To be Lieutenant General*

LTG Thomas P. Bostick, 3680.

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[The biographical sketch of LTG Thomas P. Bostick, USA,, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LTG THOMAS P. BOSTICK, USA

*Source of commissioned service:* USMA

*Educational degrees:*
U.S. Military Academy - BS - No Major
Stanford University - MS - Civil Engineering
Stanford University - MS - Mechanical Engineering

*Military schools attended:*
Engineer Officer Basic and Advanced Courses
U.S. Army Command and General Staff College
U.S. Army War College

*Foreign language(s):* Portuguese.

*Promotions:*

| Promotions | Date of Appointment |
|---|---|
| 2LT | 7 Jun 78 |
| 1LT | 7 Jun 80 |
| CPT | 1 Jan 82 |
| MAJ | 1 Jul 89 |
| LTC | 1 Jul 93 |
| COL | 1 Aug 97 |
| BG | 1 May 02 |
| MG | 15 Jul 05 |
| LTG | 2 Feb 10 |

*Major duty assignments:*

| From | To | Assignment |
|---|---|---|
| Jan 75 .... | May 76 | Platoon Leader, A Company, 54th Engineer Battalion, V Corps, U.S. Army Europe and Seventh Army, Germany |
| May 80 ... | Mar 81 | Battalion Maintenance Officer, 54th Engineer Battalion, V Corps, U.S. Army Europe and Seventh Army, Germany |
| Mar 81 ... | Jul 81 | Executive Officer, C Company, 54th Engineer Battalion, V Corps, U.S. Army Europe and Seventh Army, Germany |
| Jul 81 ..... | Dec 82 | Commander, B Company, 54th Engineer Battalion, V Corps, U.S. Army Europe and Seventh Army, Germany |
| Jan 83 .... | Jul 83 | Student, Engineer Officer Advanced Course, U.S. Army Engineer School, Fort Belvoir, VA |
| Sep 83 .... | Jun 85 | Student, Stanford University, Stanford, CA |
| Jun 85 .... | Jun 88 | Instructor, later Assistant Professor, Department of Mechanics, U.S. Military Academy, West Point, NY |
| Jul 88 ..... | Jun 89 | Student, U.S. Army Command and General Staff College, Fort Leavenworth, KS |
| Aug 89 ... | Aug 90 | White House Fellow, Department of Veterans Affairs, Washington, DC |
| Jun 90 .... | Jun 91 | Engineer Operations Staff Officer, Office of the Deputy Chief of Staff for Engineers, U.S. Army Europe and Seventh Army, Germany |
| Jun 91 .... | Jun 92 | S–3 (Operations), 40th Engineer Battalion. 1st Armored Division, U.S. Army Europe and Seventh Army, Germany |
| Jun 92 .... | Jun 93 | S–3 (Operations), Engineer Brigade, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany |
| Jun 93 .... | Jun 94 | Executive Officer to the Chief of Engineers, U.S. Army Corps of Engineers, Washington, DC |
| Jun 94 .... | Jul 96 | Commander, 1st Engineer Battalion, 1st Infantry Division (Mechanized), Fort Riley, KS |
| Aug 96 ... | Jun 97 | Student, U.S. Army War College, Carlisle Barracks, PA |
| Jul 97 ..... | Jun 99 | Commander, Engineer Brigade, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operation Joint Forge, Bosnia-Herzegovina |
| Jun 99 .... | May 01 | Executive Officer to the Chief of Staff, U.S. Army, Washington, DC |
| May 01 ... | Aug 02 | Deputy Director for Operations, National Military Command Center, J–3, The Joint Staff, Washington, DC |
| Aug 02 ... | Jun 04 | Assistant Division Commander (Maneuver), later Assistant Division Commander (Support), 1st Cavalry Division, Fort Hood, TX, and Operation Iraqi Freedom, Kuwait |
| Jun 04 .... | Jul 05 | Director of Military Programs, U.S. Army Corps of Engineers with duty as Commander, Gulf Region Division, Operation Iraqi Freedom, Iraq |
| Oct 05 .... | May 09 | Commanding General, U.S. Army Recruiting Command, Fort Knox, KY |
| May 09 ... | Feb 10 | Special Assistant to the Chief of Staff, U.S. Army, Washington, DC |
| Feb 10 .... | Present | Deputy Chief of Staff, G–1, U.S. Army, Washington, DC |

*Summary of joint assignments:*

| Assignments | Date | Grade |
|---|---|---|
| Deputy Director for Operations, National Military Command Center, J–3, The Joint Staff, Washington, DC | May 01–Aug 02 | Brigadier General |
| Director of Military Programs, U.S. Army Corps of Engineers with duty as Commander, Gulf Region Division, Operation Iraqi Freedom, Iraq | Jun 04–Jul 05 | Brigadier General |

*Summary of operations assignments:*

| Assignments | Date | Grade |
|---|---|---|
| Commander. Engineer Brigade, 1st Armored Division, U.S. Army Europe and Seventh Army, Germany and Operation Joint Forge, Bosnia-Herzegovina | Jul 97–Jun 99 | Lieutenant Colonel/Colonel |
| Assistant Division Commander (Support), 1st Cavalry Division, Operation Iraqi Freedom, Kuwait | Mar 04–May 04 | Brigadier General |
| Director of Military Programs, U.S. Army Corps of Engineers with duty as Commander, Gulf Region Division, Operation Iraqi Freedom, Iraq | Jun 04–Jul 05 | Brigadier General |

*U.S. decorations and badges:*

Distinguished Service Medal
Defense Superior Service Medal
Legion of Merit (with two Oak Leaf Clusters)
Bronze Star Medal
Defense Meritorious Service Medal
Meritotious Service Medal (with four Oak Leaf Clusters)
Joint Service Commendation Medal
Army Commendation Medal

Army Achievement Medal (with Oak Leaf Cluster)
Combat Action Badge
Parachutist Badge
Recruiter Badge
Ranger Tab
Joint Chiefs of Staff Identification Badge
Army Staff Identification Badge

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LTG Thomas P. Bostick, 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.)
Thomas P. Bostick.

2. **Position to which nominated:**
Chief of Engineers/Commanding General, U.S. Army Corps of Engineers.

3. **Date of nomination:**
6 April 2011.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
23 September 1956; Fukuoka, Japan.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Renée Yvonne Bostick (Maiden Name: Coyle).

7. **Names and ages of children:**
Joshua Jameson Bostick, age 27.

8. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed in the service record extract provided to the committee by the executive branch.
None.

9. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.

None.

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

Society of American Military Engineers, Life Member
Association of U.S. Army, Life Member
Military Officers Association of America, Life Member
ROCKs, Washington, DC, Local Member
Pan Pacific American Leaders and Mentors Organization (PPALM)
Association of Graduates, Advisor, Jan.–Dec. 2008.

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.

Dean's List and Superintendent's at West Point, 1978
Graduated 1st in Class in Language (Portuguese), 1978
Captain of Sprint Football Team at West Point, 1978
George C. Bass Award for Outstanding Leadership, 1978
Best Maintenance Company in the Army, 1982
Member of All-Army Power-lifter Team, 1983
Community Mayor at Stewart Field, West Point, 1985
Selected to present paper at American Society of Engineering Educators, 1986
Honor Graduate, Engineer Officer Advance Course, 1983
Selected for School of Advanced Military Studies, 1988
White House Fellow, Department of Veterans Affairs, 1988–1989
Who's Who in Science and Engineers in America, 1992
Recognized by Vice Chairman of Joint Chiefs of Staff for actions in National Military Command Center on September 11, 2001
Rock of the Year, 2008
NAACP 2010 Roy Wilkins Renown Service Award for recent work as the commanding general, U.S. Army Recruiting Command.

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.

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[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.]

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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.

LTG THOMAS P. BOSTICK, USA.

This 15th day of July, 2011.

[The nomination of LTG Thomas P. Bostick, USA, was reported to the Senate by Chairman Levin on March 22, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on April 26, 2012.]

# NOMINATIONS OF HON. FRANK KENDALL III TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS; HON. JAMES N. MILLER, JR. TO BE UNDER SECRETARY OF DEFENSE FOR POLICY; HON. ERIN C. CONATON TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS; MRS. JESSICA L. WRIGHT TO BE ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS; MRS. KATHARINA G. MCFARLAND TO BE ASSISTANT SECRETARY OF DEFENSE FOR ACQUISITION; AND MS. HEIDI SHYU TO BE ASSISTANT SECRETARY OF THE ARMY FOR ACQUISITION, LOGISTICS, AND TECHNOLOGY

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**THURSDAY, MARCH 29, 2012**

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

The committee met, pursuant to notice, at 9:33 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Akaka, Begich, Blumenthal, McCain, Brown, Ayotte, and Cornyn.

Committee staff member present: Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Richard W. Fieldhouse, professional staff member; Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; Peter K. Levine, general counsel; Jason W. Maroney, counsel; William G.P. Monahan, counsel; Robie I. Samanta Roy, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Ann E. Sauer, minority staff director; Adam J. Barker, professional staff member; Pablo E. Carrillo, minority general counsel; Paul C. Hutton IV, professional staff member; Daniel A. Lerner, professional staff member; Lucian L. Niemeyer, professional staff member; Michael J. Sistak, research

assistant; Diana G. Tabler, professional staff member; and Richard F. Walsh, minority counsel.

Staff assistants present: Kathleen A. Kulenkampff and Mariah K. McNamara.

Committee members' assistants present: Jeffrey Ratner, assistant to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Nick Ikeda, assistant to Senator Akaka; Gordon Peterson, assistant to Senator Webb; Lindsay Kavanaugh, assistant to Senator Begich; Lenwood Landrum, assistant to Senator Sessions; Clyde Taylor IV, assistant to Senator Chambliss; Charles Prosch, assistant to Senator Brown; Brent Bombach, assistant to Senator Portman; Brad Bowman, assistant to Senator Ayotte; and Dave Hanke and Grace Smitham, assistants to Senator Cornyn.

## OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

The committee meets today to consider the nominations of Frank Kendall III to be Under Secretary of Defense for Acquisition, Technology, and Logistics; James Miller to be Under Secretary of Defense for Policy; Erin Conaton to be Under Secretary of Defense for Personnel and Readiness; Jessica Wright to be Assistant Secretary of Defense for Reserve Affairs; Katharina McFarland to be Assistant Secretary of Defense for Acquisition; and Heidi Shyu to be Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

We welcome all of our nominees, their families, and friends to today's hearing. We appreciate the long hours and the other sacrifices that our nominees are willing to make to serve our country. Their families also deserve our thanks for the support that they provide which is so essential to the success of these officials.

The positions to which today's witnesses have been nominated are among the most critical positions in the Department of Defense (DOD).

The Under Secretary of Defense for Acquisition, Technology, and Logistics is the senior DOD official responsible for the oversight and management of an acquisition system that spends roughly $400 billion a year to buy everything from planes and ships, to scientific research and food services. The Assistant Secretary of Defense for Acquisition is a new position established 2 years ago to assist the Under Secretary in these important responsibilities.

If confirmed for these positions, Mr. Kendall and Mrs. McFarland will play the critical role in the Department's efforts to rein in costs and cost overruns in its acquisition programs. There are too many acquisition programs which are hundreds of millions, if not billions of dollars over budget. We passed the Weapons Systems Acquisition Reform Act a few years ago to bring to an end poorly planned programs, excessive concurrency in development and production, inadequate acquisition planning, and failure to perform important contract oversight and management functions necessary to protect our Nation's taxpayers. We will expect strong leadership from Mr. Kendall and Mrs. McFarland to hold both DOD officials and contractors accountable for failures of performance on defense acquisition programs.

The Under Secretary of Defense for Policy is the senior civilian DOD official responsible for advising the Secretary of Defense on matters of policy, including oversight of war plans and the planning and execution of the Department's activities in combating terrorism. If confirmed for this position, Dr. Miller will play a critical role in issues ranging from managing the transition of security lead to Afghan forces and the drawdown of U.S. forces in Afghanistan, to countering the Iranian threat, to helping formulate the U.S. response to the Syrian regime's brutality against its own people.

The next Under Secretary of Defense for Policy will also put into effect the Department's recent Strategic Guidance which establishes the goal of a joint force that is smaller and leaner but that still meets the Department's global challenges. This includes rebalancing toward the Asia-Pacific region and the Middle East, including preventing Iranian efforts to destabilize the region, countering violent extremism, maintaining an effective nuclear deterrent, addressing the proliferation of ballistic missiles and weapons of mass destruction, protecting our operations in cyberspace and space, and building partnerships with allies and friendly nations.

The Under Secretary of Defense for Personnel and Readiness is the senior DOD official responsible for total force management and military personnel policy, including military family programs, health care, compensation, DOD civilian personnel policy, and many other related activities. If confirmed for this position, Ms. Conaton will play a critical role in the Department's efforts to address difficult issues ranging from reductions in end strength, transition assistance for separating servicemembers, retirement reform, the rising costs of military health care, sexual assault, and changes in assignment policies relating to women in the Armed Forces, to name but a few. We will also expect Ms. Conaton to take steps to achieve an appropriate balance among the military, civilian, and contractor workforces of DOD while ensuring that this workforce is appropriate to meet the Department's needs.

I would note that we have had an opportunity to work closely with Ms. Conaton when she served as staff director of the House Armed Services Committee. We know her to be honest, thoughtful, and extremely capable in everything that she does. I am delighted that her former boss and a dear friend of ours—all of ours as a matter of fact—Congressman Ike Skelton and his wife Patty are here—I see you right there. They are here. I did not have a chance to greet you before, but by God, they are here and they are able to be with us for today's hearing. I know how proud they are of you, Ms. Conaton.

The Assistant Secretary of Defense for Reserve Affairs is responsible for overall supervision of matters which involve the Reserve components. If confirmed for this position, Mrs. Wright will play a key role in ensuring access to and appropriate use of the operational reserve and the appropriate balance between the Active and Reserve components.

The Assistant Secretary of the Army for Acquisition, Logistics, and Technology is the senior Army official responsible for oversight and management of the Army acquisition system. Just last year, the Decker-Wagner report on Army acquisition found that since 2004 the Army has spent more than $3 billion a year, or more than

a third of its budget for the development of major weapons systems on programs that failed and were ultimately canceled. If confirmed, Ms. Shyu will be responsible for the Army's efforts to address these failures and develop a stable, achievable, and affordable modernization strategy ensuring that the Army remains well equipped and maintained even as end strength and force structure are reduced. She will also be the official primarily responsible for mitigating risks to the industrial base resulting from program cancelations, delays, and restructuring arising out of upcoming budget reductions.

Each of our nominees is well qualified for the position to which he or she has been nominated. I look forward to the testimony of our nominees.

I call on Senator McCain.

**STATEMENT OF SENATOR JOHN McCAIN**

Senator MCCAIN. Thank you, Mr. Chairman.

I join the chairman in welcoming our nominees and their families today, and I congratulate them on their nominations.

I also would like to join you in welcoming our dear and beloved friend, Ike Skelton, back before the committee who you and I had the great honor and privilege of working with for many years on behalf of the defense of this Nation.

I have found several instances which have been very troubling to me of DOD not complying with the National Defense Authorization Act (NDAA) that we passed last December. I spoke to the Secretary of Defense about it, and until I get further clarification—hopefully we can get it done during the 2-week recess—I will not vote to approve these or any other nominations until I am satisfied that there is the proper compliance with laws that are passed by the Congress of the United States by the Secretary of Defense. For example, the study about Guam which for 3 months there was not even an effort made to begin the outside study. Clearly the administration and DOD feels it necessary just to move forward without the input of the outside study that we had mandated after long debate and discussion. That is just one example of the concerns that I have.

I think we have a role to play, a constitutional obligation, and I think some of those obligations and roles that we are playing are being ignored by the Secretary of Defense. I will not vote to approve these or any another DOD civilian nominations until the Secretary of Defense convinces me that they are in compliance with and observance of laws that we pass here in Congress and signed by the President of the United States.

Mr. Kendall, you have been the Principal Deputy Under Secretary of Defense for Acquisition and Technology for the last 2 years. I applaud you for your contributions to bringing the right tools and processes to bear on some of DOD's poorest performing programs. The Department has a long, long way to go. According to the Government Accountability Office (GAO), the cost of the Department's major defense acquisition programs has increased by $135 billion since 2008. In the last 15 years, about one-third of the Department's major weapons procurement programs have had cost overruns of as much as 50 percent over original projections. I

would like to hear from you what you will do to improve the Department's future acquisition performance. I would also ask you to comment on the potential effects of sequestration if imposed on the Department's largest programs.

Ms. Shyu, you have served since November 2010 as the Principal Deputy of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology. Over the past decade, the Army has been particularly unsuccessful in managing major acquisition programs, and the Future Combat System and the recently restructured Joint Tactical Radio System are egregious and costly examples of how not to meet a weapons system requirement. Taxpayers have a right to be frustrated and skeptical about the Army's ability to effectively develop and field major weapons systems. You have impressive credentials and I look forward to hearing how you will work to correct deficiencies and improve Army acquisition. As Senator Levin pointed out, the cost estimates for the Future Combat System, according to GAO, grew to $300 billion of the taxpayers' money, a scandal of proportions that if most taxpayers knew about it, they would share the outrage that a lot of us feel.

Mrs. McFarland, you currently are serving as the President of the Defense Acquisition University and have been Acting Assistant Secretary of Defense for Acquisition since October 2011. How will you, if confirmed, help minimize excessive cost growth and schedule delays in DOD programs and how will you identify lessons learned and apply them to future acquisitions? Future instances of what Mr. Kendall has labeled "acquisition malpractice" are unaffordable and unacceptable especially with the budget cuts that we are facing.

Just a year ago, Dr. Miller, the Senate of the United States ratified the New Strategic Arms Reduction Treaty (START). At that time, the President also committed to modernization of the nuclear weapons complex. That commitment has been undercut in the fiscal year 2013 budget request which seriously underfunds the weapons complex modernization plan. I would like to hear an explanation of the administration's position on a failure to fund, as had been committed in the past, the national nuclear security issue.

Ms. Conaton, the position you have been nominated to fill has been vacant for over 5 months, and the Inspector General of DOD continues to investigate whistleblower allegations against your predecessor. Much valuable experience and expertise in the personnel and readiness office has departed. While I give Dr. Rooney as Acting Under Secretary credit for her interim efforts, you will be taking over an office that is sorely in need of forceful, effective leadership. Such leadership has been lacking in articulating the policies that will enable the Services fairly and without sacrificing readiness to achieve a drawdown of over 100,000 Active and Reserve troops. Leadership is needed that will result in critically needed changes in the defense health program and the inefficient disability evaluation system and in the unaffordable trajectory of military and civilian personnel costs.

Ms. Conaton and Mrs. Wright, in your roles as civilian overseers of policies affecting the Reserve and Guard, it is essential that you help the Services and help Congress to achieve consensus about the future role in resourcing of the Reserve and National Guard.

I thank the witnesses for their willingness to serve.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Congressman Hoyer has joined us. He is going to be introducing Ms. Conaton. I know that you have a very tough schedule, so we are going to go out of order here in order to accommodate you, Representative Hoyer.

Senator MCCAIN. I do not want to accommodate him. [Laughter.]

Chairman LEVIN. We will have a roll call vote on this. [Laughter.]

We are being inundated by House Members and former House Members. You are sitting in front of a dear friend of ours, Ike Skelton, who we previously have introduced. Now we will introduce you, Steny, so that you can introduce Ms. Conaton, and then we will excuse you if you wish to go, and then go back to the regular order.

**STATEMENT OF HON. STENY H. HOYER, U.S. REPRESENTATIVE FROM THE STATE OF MARYLAND**

Mr. HOYER. Thank you very much, Senator Levin and Senator McCain. Thank you very much, Senator Lieberman, Senator Reed, Senator Akaka, Senator Ayotte. Good to be with you all. Thank you for giving me this opportunity.

First of all, let me start with the transparent admission. I am not objective with respect to this nominee. What you are going to hear from me is totally subjective. I am a huge, unrestrained fan of Ms. Conaton. She is absolutely excellent.

I want to thank you for this opportunity to introduce the President's nominee for Under Secretary of Defense for Personnel and Readiness to all of you, realizing full well that you need no introduction.

I have had the privilege of serving in the House, as all of you know, for a long time and, very frankly, with many of you in the House. I have met many intelligent, capable, and talented men and women who came to work on Capitol Hill to serve their country. Erin Conaton stands out from this group as a proven leader who has been especially adept at helping bring the Pentagon and Congress together on important issues.

To that extent, particularly in her last role on Capitol Hill, she complemented the extraordinary leader, Ike Skelton, as chairman and ranking member of the House Armed Services Committee. She reflected his personality, his bipartisanship, his commitment to America, and his patriotism. As Minority Staff Director of the House Armed Services Committee, Erin was the right hand of then Ranking Member Ike Skelton, as I have said. In that capacity, she worked closely with her Republican counterpart to ensure that measures benefitting the readiness of our military branches could advance through the committee without delay.

When Democrats regained the majority in 2007, Erin became the staff director for the full committee overseeing every piece of legislation affecting military readiness, acquisition, and personnel. During that time, I had the privilege of serving as Majority Leader, and my staff and I worked closely with her, and I was constantly impressed by her effective, professional, insightful, responsive, and

thoughtful approach to the job she undertook. Moreover, she has earned the respect of her colleagues on the committee and at the Pentagon where women have traditionally, as we know, been under-represented in the ranks of leadership.

Her leadership of the committee staff during a period of two overseas military conflicts and increasing global demands on our Service branches made her eminently qualified when President Obama nominated her to serve as Under Secretary for the Air Force in 2009. Erin has served in that capacity with distinction, ensuring that the Air Force and Congress have been working closely together to make certain it has the tools required to carry out our missions.

Prior to her career in the House, of course, Erin served as the Research Staff Director at the Hart-Rudman Commission for a National Security Strategy and as a financial analyst at Salomon Brothers.

She holds a bachelor's degree in foreign service from Georgetown University and earned a master's degree and doctorate in law and diplomacy from the Fletcher School at Tufts. During her post-graduate years, Erin completed fellowships at the Central Intelligence Agency and the National Security Agency.

I cannot imagine a more qualified nominee, Mr. Chairman and Senator McCain, for this position. I am confident that, if confirmed, Erin will do an outstanding job as Under Secretary of Defense for Personnel and Readiness. I strongly recommend her to you for confirmation.

I thank you for this opportunity to speak on her behalf and, indeed, on behalf of our Nation.

Chairman LEVIN. Thank you very much, Congressman Hoyer. I know how much she appreciates your being here and we all appreciate your being here as well. Again, you are free to go if you need to, as I am sure you do, because of your schedule.

Mr. HOYER. Thank you. I am going to return to the House and see if we can pass the Senate's transportation bill.

Chairman LEVIN. Good luck to you.

Next we are going to call on Senator Jack Reed who is going to introduce two of our nominees.

Senator Reed.

## STATEMENT OF HON. JACK REED, U.S. SENATOR FROM THE STATE OF RHODE ISLAND

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

Let me also recognize Steny Hoyer and Chairman Ike Skelton. I had the privilege of serving with both. Gentlemen, thank you for being here. It means a lot, I am sure, to the nominees.

But my duty today, which is more than a duty—it is a privilege and pleasure—is to introduce Frank Kendall and Jim Miller.

I have had the great privilege of knowing Frank Kendall for over 40 years. We were classmates at West Point. In that time, I have come to know him as a man of great character, of great intellect, great talent, and great dedication to his country.

Today Frank is joined by his wife Beth, by his brother Ron, and his sister-in-law Francoise, and they share with me great pride in his accomplishments.

Frank, after being commissioned, served 10 years in the U.S. Army and led troops in Germany. Then he went on to a distinguished career in business in the defense industry as Vice President of Raytheon Corporation.

He also has an extraordinary educational preparation for this job. He has a master's degree in aeronautical engineering from Cal Tech. He has a master's of business administration from Pace, and he has a law degree from Georgetown University. I do not know anyone who is better prepared to deal with the complex issues of acquisition and military policy than Frank Kendall.

In the last few years, he has been the principal deputy to Secretary Ash Carter. He has been there working with Ash to develop the Better Buying Power initiative. He was instrumental, as Senator McCain alluded to, in deploying the improvements made by Senator McCain and Senator Levin in their Weapons Systems Acquisition Reform Act of 2009. We all recognize there is a long way to go, but Frank, I believe, is the individual to get us there.

Again, it is a distinct pleasure to recognize someone who I admire, respect, and I hope will be speedily confirmed.

Dr. Jim Miller has, as we know, been serving as the principal deputy to Secretary Michèle Flournoy. He has done an extraordinary job. Dr. Miller is here today with his wife Adele and with his children Zoe, Collin, Lucas, and Adrienne. Allison is away at college. Having to pay college tuition, I think we should give this guy a job and keep him working.

Jim just last week was here with General Allen. I think we were all thoughtfully impressed with his testimony, with his understanding of the issues. As Chairman Levin alluded to, he has a huge range of critical issues as the Under Secretary charged with policy from the Iranian nuclear ambitions to developing our response to evolving conditions in North Korea to the crisis in Syria. Again, I cannot think of anyone better prepared than Jim Miller to do this.

He worked actively in the Quadrennial Defense Review, Nuclear Posture Review, and he has been literally, as I said, next to, standing beside and behind Secretary Flournoy when she has done all of her good work.

He comes with extraordinary preparation, a graduate of Stanford and with a master's and doctorate from the Kennedy School at Harvard University.

Again, I urge speedy consideration of this extraordinarily talented gentleman who has already demonstrated he can do the job.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Reed.

We are now going to ask the standard questions of our nominees, and you can all answer at one time.

Congressman Skelton, did you want to say a word? I did not have you on the list here to speak, but we clearly wanted to give you that opportunity.

We are all set. Okay. Thank you. Senator McCain very properly asked whether or not you might want to speak, and it is always great to see you and to have you and your wife here.

Standard questions for our nominees, and you can all answer at one time.

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

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

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

Mr. KENDALL. No

Dr. MILLER. No.

Ms. CONATON. No.

Mrs. WRIGHT. No.

Mrs. MCFARLAND. No.

Ms. SHYU. No.

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

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

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

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

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

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

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

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

Chairman LEVIN. Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee or to consult with

the committee regarding the basis for any good faith delay or denial in providing such documents?

Mr. KENDALL. Yes.

Dr. MILLER. Yes.

Ms. CONATON. Yes.

Mrs. WRIGHT. Yes.

Mrs. MCFARLAND. Yes.

Ms. SHYU. Yes.

Chairman LEVIN. It is a long question, but the answer is yes, which I heard from each of you.

Okay. Now we are going to start with Frank Kendall, then go to Jim Miller, then to Erin Conaton, then to Jessica Wright, then to Katharina McFarland, and then to Heidi Shyu. That will be the order that I will call on you. As I do call on you, you should feel free to introduce any family or friends that are with you. Let me start with you, Mr. Kendall.

**STATEMENT OF HON. FRANK KENDALL III TO BE UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS**

Mr. KENDALL. Thank you, Mr. Chairman. Chairman Levin, Ranking Member McCain, members of the Senate Armed Services Committee, thank you for the opportunity to appear before your committee today.

I am grateful for the confidence that President Obama has shown in me by nominating me to be the Under Secretary of Defense for Acquisition, Technology, and Logistics.

I want to thank Secretary Panetta and Deputy Secretary Carter for their support of my nomination.

If confirmed, I will be deeply honored to serve.

I would also like to thank my classmate from West Point, Senator Reed, for his support and his very kind introduction today. Senator Reed and I just attended our 40th reunion at West Point. Neither one of us can understand how all those other guys got so old so fast.

I also want to acknowledge Senator Reed is from Rhode Island, and I noticed an article this morning about a specialist, Dennis Weichel, who was killed in Afghanistan. He is a native of Rhode Island and he was killed saving the life of a small girl in Afghanistan. That kind of dedication, courage, and commitment is what all of us that are here before you today believe in and are trying to support. I wanted to acknowledge that loss and how much we all share that loss with Rhode Island.

Chairman LEVIN. Thank you for doing that.

Mr. KENDALL. Finally, I would like to thank my family for their support. My wife Elizabeth, Beth, is here with me today, as are my brother Ron and his wife Francoise, as Senator Reed mentioned.

I want to offer Beth my special thanks and appreciation. In October of 2009 at my first confirmation hearing, I thanked Beth for her support. After my 2 years in the Pentagon, first as Principal Deputy to Dr. Carter for a year and a half and for the last 6 months as Acting Under Secretary, Beth knows now exactly what she has gotten herself into, and I am deeply appreciative of her continuing love and support.

When I sat before this committee in October 2009, I said that I too knew what I was getting myself into. That is even more true today. I said then that I believe that DOD could do much better at equipping and sustaining our forces. I said that my background in operational units, defense research and development organizations, the Secretary of Defense's Office, and the defense industry had all prepared me to make a contribution to achieving the goal of obtaining more value for the investments our country makes in equipping and supporting its soldiers, sailors, airmen, and marines. I believe today that I have much more to do and can do to contribute to this goal, and I would deeply appreciate the opportunity to do so.

If the Senate confirms me in this position, I will make every effort to live up to the confidence that will have been placed in me.

Thank you very much.

Chairman LEVIN. Thank you very much, Mr. Kendall.

Dr. Miller.

**STATEMENT OF HON. JAMES N. MILLER, JR. TO BE UNDER SECRETARY OF DEFENSE FOR POLICY**

Dr. MILLER. Chairman Levin, Senator McCain, members of the committee—and Senator Reed, thank you for that kind introduction.

Three years ago this month, I testified to this committee in a confirmation hearing for my current position as Principal Deputy Under Secretary for Policy. I thank the committee for the trust you placed in me by confirming me for that position. It has been a great privilege to serve in that position for the past 3 years.

I am deeply honored to appear here today as the nominee for Under Secretary of Defense for Policy. I thank President Obama for the confidence he has placed in me as Principal Deputy and now as the nominee for Under Secretary for Policy. I also thank Secretary Panetta and former Secretary Gates for their confidence in me and for their outstanding leadership of DOD. I also want to thank the dedicated team of civilian and military personnel in the Office of the Secretary of Defense (OSD), Policy office and throughout DOD, particularly those in harm's way today for all that they do for national security.

I want to especially thank our previous Under Secretary for Policy, Michèle Flournoy, for her extraordinary service to our country. If I have the honor of being confirmed as Michèle Flournoy's successor, I will hold her example of integrity and professionalism as my ultimate benchmark.

My deepest debt of gratitude is to my family, to my wife Adele, and to my children Allison, Zoe, Collin, Lucas, and Adrienne. Adele's and our kids' love and strong support has made my service in Government possible. For the past 3 years, they have put up with an often absentee husband and dad. I cannot thank them enough for their support. With the consent of the Senate, Adele and I and the kids are ready to sign up for another tour.

As I have watched my kids grow up, one of the thoughts that motivates me to stay in Government is that the choices that we make as a Nation will shape their future. We all want to hand our kids and their generation a better world. I believe that this includes en-

suring that the United States succeeds in ongoing operations and ensuring that the United States retains the strongest military the world has ever seen.

Much has happened in the 3 years since I first appeared before this committee. President Obama said that we would bring the Iraq war to a responsible end and we did.

As I had the opportunity to testify to this committee last week with General Allen, we are making progress in Afghanistan. We have had a difficult few weeks and no doubt more challenges are ahead, but our strategy is working. It is not time for plan B. It is time to continue the hard work of plan A and complete the transition to the full Afghan responsibility for their security by the end of 2014.

If I am confirmed by the Senate as Under Secretary, I will do all in my power to help the United States, our coalition, and the Afghans succeed to ensure that Afghanistan never again becomes a source of attacks on the United States.

If confirmed, I will also focus on other immediate priorities, denying, degrading, and defeating al Qaeda, stopping Iran from acquiring a nuclear weapon—as President Obama has said, containment is not an option—preparing for the fall of the Assad regime in Syria, and more broadly posturing the United States to cope and take advantage of the transformations brought about by the Arab Spring.

If I am confirmed, another top priority will be carrying out the Strategic Guidance that President Obama announced at the Pentagon earlier this year. Even as we deal with current operations in Afghanistan and across the globe, we are building the joint force of the future. The fiscal year 2013 DOD budget submission reflects a strategy-driven approach intended to provide a force that, as Secretary Panetta said and as Chairman Levin referred to, is smaller and leaner, but agile, flexible, ready, and technologically advanced.

Consistent with our new Strategic Guidance, if confirmed as Under Secretary, I will work to continue to strengthen our posture in the Asia-Pacific. This includes addressing the challenges posed by the new regime in North Korea and continuing to work closely with our allies and partners in the Pacific.

If confirmed, I will also continue to ensure that our Nation and our military are on a firm footing to meet the challenges of tomorrow, including improving our Nation's posture in space and cyberspace, responsibly growing our Special Operations Forces, reforming our systems of export controls which is a burden on industry and slows down our efforts to build partner capacity, advancing our missile defense posture to deal with the real threats from Iran and North Korea, and ensuring that we retain a safe, secure, and effective nuclear deterrent for as long as nuclear weapons exist.

Mr. Chairman, Senator McCain, and members of the committee, thank you for considering my nomination for Under Secretary of Defense for Policy. If confirmed, I am committed to continuing to work with Congress to ensure that we succeed in Afghanistan, to advance our national interests by maintaining a strong global posture, and continuing to strengthen our alliances and partnerships across the globe, and to preserve and strengthen our military so

that the United States is on a firm footing to meet the challenges of the future.

Thank you and I look forward to your questions.

Chairman LEVIN. Thank you very much, Dr. Miller.

Ms. Conaton is next.

**STATEMENT OF HON. ERIN C. CONATON TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS**

Ms. CONATON. Chairman Levin, Ranking Member McCain, members of the committee, and your staffs, thanks for the opportunity to again be before you and thanks for the confidence that you have placed in me in my current position as Under Secretary of the Air Force.

Like my colleagues, I would like to start by thanking President Obama, Secretary Panetta, and Deputy Secretary Carter for the opportunity to continue serving, if you all see fit to confirm me.

I am deeply honored that Mr. Hoyer would take the time to come over and spend a few minutes with us, and I never want to correct the distinguished Minority Whip, but I did not actually finish my doctoral dissertation. Maybe that will be a post-Government project to be finished.

To Ike Skelton, sir, truly you are my mentor, and all that I know about the personnel and readiness challenges facing our military I learned from you. But it seems perfectly fitting to me that you and Patty are sitting as part of my family.

I am also honored to have my parents, Pat and Dan, my siblings, Sean and Meghan, and my sister-in-law, the other Erin Conaton. But I would particularly like to single out my 7-year-old nephew William, my 4½-year-old niece Nora, and my 2-year-old niece Cathleen. The oldest two of them are going to be giving a report at school tomorrow on what they learned today, so I know that they are paying close attention.

I would also like to welcome three tremendous young women I have had the opportunity to get to know from McKinley High School, Vinecia, Taahiva, and Brooke. They are fast approaching graduation, and I know each of them has an incredibly bright future ahead of them.

I have been blessed to serve under a great Air Force leadership team in Secretary Mike Donley and Chief Norty Schwartz. I have learned so much serving with them, as well as with two outstanding partners in my current Vice Chief General Phil Breedlove, as well as his predecessor, General Howie Chandler. These great leaders are a model of service and leadership. It has been an honor to serve with them.

My eternal thanks, too, to the team who has supported me in the Air Force for over 2 years and to the OSD team led so ably by Dr. Jo Ann Rooney. They have been great in helping me to start to get smart on these issues.

There would be no greater honor than to represent our outstanding servicemembers, Active, Guard, Reserve, and civilians, and their families. It would be a privilege to be their advocate and to continue to advocate for the strength of the All-Volunteer Force and its readiness. As Chairman Levin and Senator McCain pointed out in their opening statements, there are many challenging issues

before the Department in this area. If confirmed, I would look forward to the opportunity to work with my DOD partners and with this committee to address these challenges.

Thank you again for the opportunity to be before you.

Chairman LEVIN. Thank you so much, Ms. Conaton.

Now Mrs. Wright.

**STATEMENT OF MRS. JESSICA L. WRIGHT TO BE ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS**

Mrs. WRIGHT. Chairman Levin, Senator McCain, honorable committee members, good morning. I am humbled and honored to be sitting before you this morning.

I thoroughly appreciate the confidence that President Obama has expressed in nominating me to be the Assistant Secretary of Defense for Reserve Affairs. I am grateful to Secretary Panetta for supporting that nomination.

It has been my great honor and privilege to serve our Nation in uniform for 35 years and as a civilian these past 16 months.

My career in public service would not have happened without the love and support of my family. My husband Chuck, who is here with me today, is my most avid supporter and champion. He is a combat-tested Army veteran who retired as a lieutenant colonel with 24 years of service. Our son Mike is in college and not able to attend this hearing, though I know he is here in spirit. He will graduate in May from Kings College with a degree in accounting and a commission in infantry, 2nd lieutenant, following in his dad's footsteps.

I would also like to thank my parents, John and Cass Garfola, who live in South Carolina and are not able to attend this hearing. They instilled in my brothers and me the importance of public service. My dad served in the China-Burma-India theater in World War II and spent a lifetime in steel mills. My mom started in the Army nursing program and served a 49-year career as a civilian nurse.

Throughout my career, I have seen enormous changes in our military. I enlisted as a member of the women's Army Corps and it culminated as the Adjutant General of the Commonwealth of Pennsylvania. I have worked my entire career promoting the Reserve components. These men and women number in the hundreds of thousands and carry the proud title of citizen warrior. As you certainly know, they have put their lives on the line and their careers on hold through this past decade of war, and they have performed with honor and dignity.

Over the last decade, our Reserve components and the National Guard have transformed from a strategic reserve to an operational component. They fight and they serve alongside the Active component each and every day. If confirmed, it would be my privilege as the Assistant Secretary of Defense for Reserve Affairs to build on their success, to work hard to support the men and women who proudly serve our Nation as members of our Reserve components.

I am grateful to all Members of Congress and this distinguished committee for the energy and support that they have given our servicemen and women and their families. If the Senate confirms me in this position, I pledge to you that I will work diligently for the men and women of the seven Reserve components, their fami-

lies, and their employers. I am deeply honored to have been nominated and to serve.

Thank you.

Chairman LEVIN. Thank you very much, Mrs. Wright.

Next Mrs. McFarland.

**STATEMENT OF MRS. KATHARINA G. MCFARLAND TO BE ASSISTANT SECRETARY OF DEFENSE FOR ACQUISITION**

Mrs. MCFARLAND. Thank you, Mr. Chairman.

Chairman Levin, Ranking Member McCain, and distinguished members of the Senate Armed Services Committee, thank you for the opportunity to appear before your committee today.

I am also grateful for the confidence that President Obama has shown in me by nominating me to be the Assistant Secretary of Defense for Acquisition.

I personally want to thank Secretary Panetta, Deputy Secretary Carter, and Acting Under Secretary of Defense Kendall's support for my nomination. If confirmed, I will be truly honored to serve and will work to serve in the highest accord with the highest traditions of office and integrity.

I am blessed with having some of my family and friends here and would like to thank them for their guidance and support that they have given me. My mother and father, Sonya and Wilbert Wahl, who are still working full-time and contributing to society and economy. My husband, former Marine Corps colonel, with 34 years of service, inclusive of two tours in Operation Iraqi Freedom (OIF) and one in Operation Enduring Freedom (OEF), Ron McFarland, and my son Jacob Brown.

As my mother was witness and victim to the horrors of World War II on the eastern side of Germany, her stories, rarely told, stay with me and led me to work for DOD. My family was always tight for money. My dad took me everywhere, and every moment he was trying to find another way to stretch his poor dollar as far as it could go. If I am confirmed, you can be assured that his lessons will continue to guide me.

I passionately believe in the high priority that this committee, Congress, the President, and the Secretary of Defense have placed on improving the results achieved by the defense acquisition system. We need to maintain the best equipped military to support the policies of national security for this country and the new Strategic Guidance that the Secretary and the President recently announced. In order to do that, we must have a better trained workforce, a more efficient process that focuses on content and product, and the ability to measure how we, the Government, and industry are performing. We must improve our ability to extract every bit of value from the public funds we are entrusted with.

I consider this a monumental task, especially in this economic climate and with the continuing and emerging threats to our security. If the Senate confirms me, I will do everything in my power to live up to the confidence that has been placed in me.

Thank you.

Chairman LEVIN. Thank you very much, Mrs. McFarland.

Ms. Shyu.

**STATEMENT OF MS. HEIDI SHYU TO BE ASSISTANT SECRETARY OF THE ARMY FOR ACQUISITION, LOGISTICS, AND TECHNOLOGY**

Ms. SHYU. Mr. Chairman, Senator McCain, and members of this esteemed committee, it is a great honor for me to appear before you as President Obama's nominee to serve as the Assistant Secretary of the Army for Acquisition, Logistics, and Technology. I am very grateful for this nomination, for Secretary McHugh's support, and the opportunity to be here today.

I would like to take a moment to thank my family for their constant love, encouragement, and support. My 102-year-old grandmother in Taiwan is unable to be here today, but she is absolutely here in spirit with me.

Chairman LEVIN. Why did she not fly in for this? [Laughter.]

Ms. SHYU. If she could fly, I can guarantee you she will be here.

Chairman LEVIN. Give her our greetings.

Ms. SHYU. Thank you, sir.

Chairman LEVIN. Tell her we miss her too.

Ms. SHYU. Thank you.

Mr. Chairman, I seek the committee's consent to serve as the Assistant Secretary of the Army for Acquisition, Logistics, and Technology. It has been my distinct privilege to serve in this position in the acting capacity in the last 9 months. It is an appointment that has resulted from my job as the principal deputy since November 2010. This service, along with my prior experience, has given me firsthand knowledge and valuable insight into areas of opportunities to fundamentally change the way that the Army acquires weapons systems for our soldiers.

Efforts to reform the acquisition systems have been ongoing for decades. The current fiscal environment has given these efforts a new sense of urgency. While I believe that the Army is heading in the right direction since the cancelation of the Future Combat System, I pledge my dedicated efforts to this present task. If confirmed, I will prioritize affordability, competition, challenging unrealistic requirements, and emphasize sound management. More must be done to ensure that the current and future modernization efforts are built on the best possible foundation for success.

For more than 30 years, I have held a number of leadership positions within the defense industry that took me from entry level engineer to corporate vice president. I have direct experience in turning a vision into a system that is fielded to the hands of our warfighters. This experience will assist me in meeting challenges in performing this role.

Again, Mr. Chairman, I am honored by this nomination. I believe that I possess the background, the experience, commitment, the ethical discipline taught to me by my 102-year-old grandmother, and the judgment that is necessary to perform this important job.

I look forward to your questions and comments. Thank you.

Chairman LEVIN. Thank you very much, Ms. Shyu.

I think we have a vote at 11:30, and we are going to work right through that vote, as I mentioned. We will have a 7-minute first round of questions.

I want to start by reading from an e-mail that a friend of mine received from his son in Afghanistan from a forward operating base

in Afghanistan. Mr. Kendall, you made reference to the loss of another American hero, and that kind of triggered my decision just to read a few paragraphs of this e-mail to his folks.

"While the news certainly and rightly has paid a lot of attention to a few horrible incidents of Afghan army and police turning on their American counterparts, including a fairly horrific incident in our sister battalion resulting in the first two casualties of our deployment, I can say I have been nothing but amazed by the strength of the bonds that have been formed between American troops and the Afghan National Army (ANA). The reaction of our ANA counterparts to the insider attack on my sister battalion's company outpost was truly telling. Their first reaction was fear. They were deeply concerned that we would abandon them over this, that we would blame them for the actions of a few who turned their weapons not only on Americans but also on their ANA brothers who, I should mention, played an important role in counterattacking their traitorous comrades and bringing those involved to justice.

"When we had a similar potential threat revealed in our area of operations, it turned out that the ANA was already working internally to stop it. A couple of their soldiers who were at first erroneously suspected of being complicit were actually the proactive individuals who stopped anything well before it could happen. The ANA were in tears over the fact that they believed that we would never trust them again and suspect them always of being Taliban, people they literally risk their lives constantly to fight and honestly hate. I can say that I have truly never felt unsafe around any of my Afghan counterparts."

Dr. Miller, let me ask you a question about the Afghan security forces. They are on track to reach a goal of 352,000 personnel by later this year. Building on the capabilities of the Afghan security forces is key to transitioning the security lead to Afghanistan. As General Allen testified last week, "transition is the linchpin of our strategy, not merely the way out".

Now, given the importance of developing capable Afghan security forces for our transition strategy, I frankly was surprised and concerned about news accounts of a U.S. proposal to reduce the size of the Afghan forces by a third after 2013 apparently based on concerns about the affordability of a larger force. General Allen assured us that the option of reducing the size of the Afghan security forces after 2014 to the level of 230,000 was based on a current projection of possible options and certain possible scenarios, but that no decision had yet been taken. I hope not. In my view, it would be unwise and unfortunate if we were to risk the hard-fought gains that we, our coalition partners, and the Afghans have achieved by deciding in advance that we are not going to support an Afghan security force that is right-sized to provide security to the Afghan people and to prevent a Taliban return to power.

Do you agree, Dr. Miller, that first of all, we have not made a decision and that whether or not that we should have a 350,000-sized Afghan security force or whether or not that ought to be reduced to some number lower than that should be, number one, conditions-based and the affordability concerns predicted now for years

from now should not be, at this point at least, the factor which controls that decision?

Dr. MILLER. Mr. Chairman, yes, I agree. As we indicated in testimony with General Allen, the surge force of 352,000 should be sustained beyond 2013 and quite likely beyond 2014.

Chairman LEVIN. You also stated in answer to a prehearing question, Dr. Miller, that you support a, "responsible drawdown as called for by the President". Last June, the President announced his plan for drawing down the surge force in Afghanistan and said that after the initial reduction, which would be completed by this year, that the withdrawal of our forces would continue, "at a steady pace". That would be between the summer of this year and 2014 when most all of our combat forces would be removed under current plans from Afghanistan.

My question, Dr. Miller, do you support the President's plan for U.S. troop reductions to continue at a steady pace after September of this year?

Dr. MILLER. Mr. Chairman, yes, I do, and we have not yet defined what the steady pace will mean in terms of numbers. Sir, General Allen intends to conduct an assessment at the end of September as we have drawn the force down to about 68,000 Americans, have a hard look at any al Qaeda presence, at the strength of insurgency, and critically importantly, at the strength of the Afghan National Security Forces and then make a recommendation up the chain of command to the President. That would be a timeline for a recommendation and a decision this fall.

Chairman LEVIN. Thank you.

Let me now ask Mr. Kendall about our industrial base, and I will ask Ms. Shyu as well. I have a real concern about the industrial base including our second- and our third-tier suppliers, particularly for the ground combat and tactical vehicles that we know are going to be coming into our inventory and are going to be developed and produced. I want to know what steps you plan to take to address the potential loss of industrial capability or capacity associated with reductions at the same time that we need to prepare for the next generation.

Mr. KENDALL. Mr. Chairman, we are watching the industrial base probably more closely now than any other time since perhaps the end of the Cold War. We are taking account of it as we make budget decisions in particular because we are no longer in a period of growth in the budget. This year, as we went through the budget preparation process, we had meetings at the very senior level specifically to look at industrial base issues, and we did take some steps because of them.

We are concerned about the tiers below the prime level. We have undertaken an in-depth analysis of that. We are building a database to help us completely understand each sector and each tier so that we are aware of and can respond perhaps proactively, as much proactively as possible, when problems arise. The database that we are building is well underway and it is allowing us to identify some things and perhaps intervene earlier than we might be able to otherwise.

We are going to be limited in our resources. Any intervention in the industrial base is going to have to be on a case-by-case basis

and probably fairly rare. But if there are niche capabilities that are critical to us, we may well intervene, and there may be cases where just to keep competition for critical components we do the same.

We are watching the industrial base very carefully. We are going through a difficult period. There is going to be, obviously, less money available to the industrial base. As we stretch out production and delay programs in some cases, there are going to be smaller companies in particular that are impacted.

Chairman LEVIN. Thank you.

Ms. Shyu, do you have anything to add to that?

Ms. SHYU. Senator, I absolutely am equally concerned about our industrial base, in particular the impacts to our second-, third-, and fourth-tier companies. My sister is a small business owner, so I absolutely understand the challenges in terms of running a small business. We are working aggressively with our prime contractors to identify Foreign Military Sales opportunities to fill in the bathtub. We are working very closely with OSD on the sector-by-sector and tier-by-tier database. As a matter of fact, just yesterday I spent a solid hour discussing issues in regards to our small companies. We are in the process of also working and assessing across our entire portfolio to look for opportunities for our small businesses. I think that is a huge area we can explore. If confirmed, I dedicate my efforts to take a look at the industrial base.

Chairman LEVIN. Thank you very much.

If you would, Mr. Kendall particularly, give us a status report by, say, May 10, if you would, on your assessment of the issue which you have addressed, particularly the second-, third-, and fourth-tiers Ms. Shyu made reference to, suppliers in those areas. If you could give us the status report so we can consider that situation in our own markup, we would appreciate that.

Mr. KENDALL. We can do that, Mr. Chairman.

Chairman LEVIN. Thank you very much.

Senator Ayotte? Senator McCain is not yet back.

Senator AYOTTE. Thank you, Mr. Chairman. I appreciate it.

I want to thank all of you for being here and for your dedicated service to our country and all of your families and friends for the support you have given all of our distinguished witnesses today.

I wanted to follow up on the chairman's question. Mr. Kendall, Ms. Shyu, what happens to the defense industrial base, particularly our second-, third-, and fourth-tier suppliers if sequestration happens?

Mr. KENDALL. Senator McCain mentioned sequestration also. In a word, it will be devastating. We have already taken $500 billion a year, roughly, out of the defense budget. If we have to take roughly another $500 billion, that is $100 billion a year out of the budget, a lot of that would fall onto industry.

There is a provision under the Budget Control Act which would allow the President to exempt military personnel. There is a good chance that he would do that because that would be a devastating impact on our people. That would increase the burden that would fall on the investment accounts, research and development, and production. It would be fairly deep cuts. They would also have to be applied very indiscriminately. We would not be allowed to

prioritize and they would fall on unobligated balances. We would have a devastating impact.

A lot of the work that we have done over the last couple of years to try to make more efficient acquisition decisions and get better contract structures would be broken. The tanker, for example, which the Air Force went through a very laborious and difficult process to get under contract on a sound acquisition strategy. We would break that fixed-price contract.

Senator AYOTTE. You are talking about the KC–46A?

Mr. KENDALL. Yes.

Senator AYOTTE. Yes, it would jeopardize that contract?

Mr. KENDALL. We would jeopardize that.

Senator AYOTTE. If sequestration goes forward?

Mr. KENDALL. We would jeopardize a number of contracts where we would have to take cuts that would break the contract from our side. Then we would have to go renegotiate. You are essentially opening it up and you have to go get another price. Once we are in a situation—and we did a competition, for example, for the tanker. That was very effective in getting the price down. Once you do not have a competitive environment, then it is much more difficult for us to negotiate a lower price.

The littoral combat ship is another one where we have good prices out over the next few years. We would break that deal as well.

Across the Department, there are places where a devastating impact would occur. Of course, that ripples down to all tiers in the industrial base.

Industry is already very concerned about this. Some of the major firms have approached me about their concerns about having to provide notice of potential layoffs because there is a provision in the law that requires them to do that just in pending sequestration.

It has been described by various people in various ways. Secretary Lynn talked about sequestration as being something that was so crazy—it was intended to be so crazy that nobody would ever do it. The people have done a very good job of making it that crazy.

Senator AYOTTE. So crazy that nobody would ever do it.

Mr. KENDALL. So crazy nobody would do it and they did a really good job of that.

My boss, Secretary Panetta, who is sometimes very frank in his language, has called it, I think, goofy and a meat axe approach. In private conversations, he has used much stronger language than that.

Senator AYOTTE. Probably not good for this room. [Laughter.]

Mr. KENDALL. I will refrain from that.

But sequestration, in a word, would be devastating to the Department.

Senator AYOTTE. Thank you.

Ms. Shyu?

Ms. SHYU. Senator, I absolutely concur. If sequestration occurs, it would absolutely have a devastating impact on modernization. The bulk of the Army's budget is in the manning area, and that is not going to go down quickly. The modernization account, name-

ly the procurement accounts, research and development accounts, which impacts our primes, our second-, third-, fourth-tier companies are going to be significantly impacted. Everything we have judiciously worked last year to identify affordability, cost savings, cost avoidances will be gone.

Senator AYOTTE. Just to be clear so everyone understands and those that are watching this hearing, when we are talking about particularly second-, third-, and fourth-tier suppliers, sometimes when those businesses go away, they do not come back. We are talking about small businesses that if they are put out of business by sequestration, then it is difficult often to bring that capability back. That is why we are concerned about our defense industrial base. Those are real jobs in this country, are they not, at stake?

Mr. KENDALL. That is correct. There would be hundreds of thousands of jobs impacted.

Senator AYOTTE. I appreciate that.

One thing I wanted to follow up when we look at where we are with the $487 billion in reductions over the next 10 years as a result of the Budget Control Act, Secretary Conaton and Dr. Miller in particular, we are asking for a 72,000 reduction in the end strength of our Army. How did we get to that number, meaning is this a number that the Army recommended in terms of end strength reductions?

The other important question that I would like to get at is how many involuntary terminations will we have to give to our soldiers in order to accommodate the 72,000 in reductions because it is really hard to think about those who have gone and done multiple tours in Iraq and Afghanistan and handing them an involuntary termination.

First, how did we get to the number and, second, what does this mean in terms of involuntary terminations?

Ms. CONATON. Thank you, Senator. Given that I have been working in the Air Force for the last couple of years, I will defer to Dr. Miller, if he has insight as to how the exact number was chosen. It is my understanding, though, that the Army leadership had a great voice, as did the Marine Corps leadership, in looking at not only the numbers, but the ramp and how quickly folks are coming out of the force.

I share your deep concern that we ensure that we do this in a way that minimizes the number of folks who are involuntarily removed from the rolls. I know Secretary Panetta's commitment, and if confirmed, it would be my commitment to work with the Services to make sure we do everything possible before we involuntarily remove folks and also strengthen the transition assistance program so that folks who are leaving our military have the best opportunity to gain follow-on employment, or education, or start a small business.

Senator AYOTTE. I appreciate that.

Dr. Miller, can you help us, how did we get to the number? Here is where I look at it is that we were withdrawing from Iraq. We were certainly drawing down in Afghanistan. There was going to be some reduction. Would you be recommending to us 72,000 but for the Budget Control Act, and how did we get to that number?

Dr. MILLER. Senator, let me first confirm what Ms. Conaton said and that is that the Army was very much involved in the discussions about both the size of the force that would result by the end of fiscal year 2017 and the ramp in terms of the reductions. That ramp was designed specifically to minimize the impact and to minimize the likelihood that anyone would have to be involuntarily separated.

In terms of the overall size of the force, that reduction will take it to about the level that it was at September 11.

Senator AYOTTE. Pre-September 11, right? Before September 11.

Dr. MILLER. Just before September 11.

Senator AYOTTE. The world has changed since then, has it not, Doctor?

Dr. MILLER. The world has changed.

The reductions that will be phased in will leave an Army that is, between the Active and Reserve Force, still capable of conducting the full range of missions, capable of conducting stability operations, but not stability operations on the scale that we saw in Iraq and Afghanistan combined. If we find that we are in a situation again where that scale of operations is required, either the force will have to be grown back, and we know that we can do that and we need to build in that capacity or we will have to tap into the Reserves more or for a period of time more strain would be put on the force. The number was selected at a level that still retains the full spectrum mission and the ability to conduct substantial stability operations and understanding that the force would have to grow in the future if we return to a scale of operations that we saw in OIF and OEF combined.

Senator AYOTTE. My time is expiring. But one of the issues that I would like to know about is was this a number that was recommended by our Army commanders, the 72,000? Is that the number that they gave the Secretary?

Dr. MILLER. Senator, this was a number that came out of discussions that deeply involved the Army leadership and obviously involved the Secretary of Defense and the leadership of the Joint Staff and which the combatant commanders were consulted on as well.

Senator AYOTTE. One thing that I would appreciate your taking to let us understand is if sequestration goes forward, what happens to the end strength of our Army as well. I think that is important for people to understand.

[The information referred to follows:]

As Secretary Panetta has said on several occasions, sequestration would have a devastating effect on the Defense Department overall, coming on top of the more than $450 billion that is already being cut from DOD accounts. The specific effect on Army end strength is unknowable until the Department understands the process and formula to be prescribed by Congress in applying sequestration. These additional cuts would clearly force a reassessment of our defense strategy and security commitments globally, likely leading to a scale back of current levels of defense activity, prompting hard choices about the challenges we can afford to confront, and incurring additional risks to our force and our ability to execute assigned missions.

Senator AYOTTE. I appreciate all of the witnesses being here today, and I may submit some additional questions for the record. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to the six of you for your willingness to serve. You are really an extraordinarily impressive group in my opinion. I am struck by the gender imbalance in the six of you, which shows that this was obviously a merit selection process by which you come before us.

Dr. Miller, let me focus on you. The position you are coming into as Under Secretary of Defense for Policy is a really important position, and I have every confidence that you are ready, more than ready, to fill it. I have been really impressed by the opportunities we have had to work together most recently. Just by your testimony last week alongside General Allen about Afghanistan, I thought you were very straightforward and very helpful to the committee.

In some sense now you join the Secretary and Deputy as responsible for the security of just about the entire world. Do not let that give you sleepless nights.

But let me focus first on two areas of obvious concern. The first is Iran. Obviously, one of the contingencies to which the Pentagon has been devoting a lot of time and consideration is Iran. I wanted to ask you about your thinking about the threat posed by Iran, how do you see it evolving, and what do you hope we do to get ready to meet the threat that Iran poses?

Dr. MILLER. Senator Lieberman, thank you for your kind words.

The threat posed by Iran includes, as they have talked about, the possibility that they would attempt to close the Strait of Hormuz and interrupt international shipping, including the transportation of oil. With respect to that, Secretary Panetta and others have made clear that is a red line for the United States. We have had a number of ships, including carriers, transit through the Strait of Hormuz since a rather inflammatory statement was made by the Iranians, and they will continue to conduct that transit.

Iran poses a significant threat in the region because of its activity in support of insurgency and terrorist tactics. This is something that has been the case for some time and something that we are working with our allies and partners in the region to contain.

The most significant threat that Iran poses is its pursuit of a nuclear weapons capability. As I said earlier, the President has made clear that prevention is our policy and that containment is not an option.

Senator LIEBERMAN. Let me ask you to what extent concern about the threat posed by Iran informed the defense Strategic Guidance first and then the fiscal year 2013 budget request? In other words, have specific policies been arrived at and authorization/appropriations been asked for to meet that threat?

Dr. MILLER. Senator, Iran was certainly taken into account in both the Strategic Guidance and the fiscal year 2013 budget request. The guidance talked about the importance of both the Asia-Pacific and the Mideast and sustaining and in fact strengthening our posture there, and we have continued to do so. Iran also poses a potential threat to U.S. forces and coalition forces because of its anti-access and area denial capabilities, things like their small boats, cruise missiles, and so forth. As we look at the capabilities

that DOD is developing to counter those threats, Iran is certainly a consideration.

Senator LIEBERMAN. Let me move now to Syria. Obviously, the killings by the Assad Government of its own people continues, I do not know whether a document was signed by Syria to agree to the Annan plan. If it was, history will show that it is not really worth even the paper the signature is on. The reports since the announcement of Syria's agreement to the Annan plan indicate that the government continues to brutally slaughter its own people.

In this context, there will clearly be growing international pressure and domestic pressure, including from some of us up here, for some kind of external assistance to the Free Syrian Army and to the Syrian opposition. As Under Secretary for Policy, you will be in a key position to develop options to support that kind of intervention if the President decides to order it and to determine what is feasible and what is not. I wanted to ask you what you are thinking about that challenge now, including particularly a topic we took up earlier with Secretary Panetta and General Dempsey, what we might be able to do that would allow us to disrupt Assad's command and control over his own forces.

Dr. MILLER. Senator Lieberman, the Assad regime, as you have said, has continued to conduct activities within Syria that are reprehensible and that reinforce in my mind and in our mind the fact that this regime needs to go and that it is in the interests of the Syrian people and of the international community that the Assad regime leave power.

We have provided nonlethal assistance at this point.

Senator LIEBERMAN. Just define that a bit about what we have provided thus far. I noticed the President made a statement with Prime Minister Erdogan in Seoul earlier in the week that they were both interested in continuing that. Tell us what we have done so far and what we are thinking of doing in terms of nonlethal assistance.

Dr. MILLER. Sir, the nonlethal assistance to date has been materials such as food and tents and so forth, as you would expect for humanitarian assistance, and we will continue to look at additional opportunities to provide that assistance as part of an international effort.

At this point, a key challenge associated with considering lethal assistance is the reality that the Free Syrian Army and other groups do not have, at this point, a high degree of coherence, and so one needs to consider to whom that would be provided and what would be the ultimate disposition of any equipment. The answer to that question could evolve depending on what happens on the ground, and frankly, the viability of any additional aid depends to a degree on the ability of the opposition groups within the country to come together. Sir, this administration has undertaken an effort to try to facilitate that.

Senator LIEBERMAN. Let me just ask one quick follow-up question because my time is up.

My impression from the reports from Seoul from the President and Prime Minister Erdogan was that the nonlethal assistance now would go beyond food and tents for, I presume, refugees and would include, for instance, communications equipment. Is that right?

Dr. MILLER. Senator Lieberman, I am not certain that a final decision has been taken on that. What I would like to do is get back to you with an answer.

[The information referred to follows:]

Secretary of State Clinton will be making an announcement regarding the topic of nonlethal assistance during the Friends of Syria meeting in Istanbul on April 1. I would refer you to her speech and subsequent press briefings.

Senator LIEBERMAN. Okay. Obviously, I hope it does. Thank you. Thanks, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator McCain.

Senator MCCAIN. Dr. Miller, I will not comment on your response to Senator Lieberman except to say thank you for the food and tents. I am sure the people who are being slaughtered in the streets of Homs, Hamas, Idlib, and other places are very grateful for the food and tents.

The administration, I understand, has proposed that North Korea be provided with 240,000 metric tons of food aid. My understanding is that is about $200 million worth of foodstuffs. Is that correct?

Dr. MILLER. Senator McCain, the amount of food is correct and the dollar figure sounds right to me as well.

Senator MCCAIN. Now, meanwhile the North Koreans apparently are planning on testing another missile. Is it your personal view that if they test that missile, that we should continue to provide them with the $200 million worth of food?

Dr. MILLER. My view is that we should not.

Senator MCCAIN. Do you know what the administration's view is?

Dr. MILLER. Senator, the view is that if North Korea goes forward with this test, we will stop this aid and stop the other steps that we have intended to take and have to have a complete reconsideration of where we go in the future.

Senator MCCAIN. Thank you.

Mr. Kendall, you and I have had numerous conversations about cost overruns. I had an interesting exchange with the Secretary of the Navy when I pointed out that now with the carrier USS *Gerald R. Ford* there is a billion dollar overrun, he said, "well, the next carrier we will do a lot better on."

Is it not true that the Joint Strike Fighter has been about $150 billion in cost overruns? Is that about correct, Mr. Kendall?

Mr. KENDALL. I think that number is approximately correct, yes.

Senator MCCAIN. Do you anticipate further cost overruns in the Joint Strike Fighter besides the $150 billion that has already been accumulated?

Mr. KENDALL. We are doing everything we can to drive down the cost of the Joint Strike Fighter. I do not anticipate any cost growth anything near the scale that you just described. We are still about——

Senator MCCAIN. Maybe only $10 billion?

Mr. KENDALL. I hope much less than that.

We are still about 20 percent of the way through the test program. We are finding design issues as we go through the test pro-

gram that we have to correct. There are some cost adjustments associated with that.

Senator MCCAIN. Would you provide for the record what you think will be the additional cost overruns associated with the development of this aircraft?

Mr. KENDALL. I will, Senator McCain.

[The information referred to follows:]

*Historical and Current Cost Estimates:*

The $150 billion cost overrun referenced is the increase in the total acquisition cost estimate from the original estimate in 2001 ($226 billion) to the estimate in the December 2010 Selected Acquisition Report (SAR) ($379 billion)—an increase of $153 billion. The current total acquisition cost estimate in the December 2011 SAR is $396 billion, which is an increase of $170 billion over the original estimate in 2001.

The increase in the total acquisition cost estimate from the start of the development program in 2001 to the current estimate is primarily the result of unrealistic baseline estimates at the beginning of the program. Total acquisition costs are comprised of the development and procurement costs. The development cost estimate has increased from $34 billion in 2001 to $55 billion in 2012, which is significant and primarily the result of unrealistic baseline development and test schedule estimates. The development estimate remained essentially unchanged from last year's 2010 SAR to the 2011 SAR.

Accordingly, the bulk of the cost increase from the original total acquisition cost estimate to the current cost estimate is contained in the procurement costs. The procurement cost estimate in 2001 was $192 billion while the current procurement estimate in the December 2011 SAR is $336 billion. The $336 billion procurement cost estimate is a $12 billion increase over the procurement estimate contained in the December 2010 SAR. This was primarily driven by increased unit costs due to the reduced near term procurement profile, incorporation of development in parallel to limited rate production concurrency modifications, and the inflationary effects of stretching the completion of planned procurement from 2035 to 2037.

Additionally, the estimate for Military Construction (MILCON) costs increased from $0.5 billion in the December 2010 SAR to $4.8 billion in the December 2011 SAR. This increase was due to my decision to use the MILCON estimate from the Office of the Director, Cost Assessment and Program Evaluation (CAPE) Independent Cost Estimate (ICE) as the basis for the new Acquisition Program Baseline (APB) and SAR.

*Risk of Additional Cost Increases:*

A specific projection of any future cost increases would be highly speculative and the Department's current estimate is its best estimate. If confirmed I will continue to make every effort to control and reduce costs. While the recently submitted SAR contains the Department's current best estimate of program costs, there are risks that could drive cost increases during the remainder of the program. The risks include that: the F–35 program has not completed development, particularly software development, that design changes may be greater than anticipated as a result of discovery of problems during the roughly 80 percent of the flight test program that remains, partner production plans may change lowering expected economies of scale, future DOD budget levels that could force the Department to follow a less efficient production profile, and finally that sustainment costs may be higher than predicted. The keys to controlling and avoiding additional cost increases will be to successfully complete the test program, stabilize the design, ramp up production to higher and more efficient rates as soon as possible, and to aggressively manage the sustainment costs.

*Potential Development Cost Increases:*

There are two principal sources of potential increases in the development costs, which is being conducted on a cost plus contract; software and design changes that may result from discovery during the balance of the test program. The Department has programmed funds to account for the costs associated with these risks, but there is no guarantee that current estimates will not be exceeded.

The software development program has not been executing to schedule and this area is always a source of risk, particularly in a large software centric program like the Joint Strike Fighter. The mission systems software and the Autonomic Logistics Information System are both sources of concern.

Based on historical experience in similar programs the Department expects a certain level of design changes over the balance of the test program and has budgeted to cover those changes. Nevertheless there is the potential for higher than expected discovery or a major design flaw that could lead to costs associated with design changes. The remaining flight testing (particularly high performance flight near the edges of the envelope and weapons testing) and structural life testing are sources of risk. The Quick Look Review which I commissioned last fall also noted several specific areas in which development risk still exists.

*Potential Production Cost Increases:*

The production costs have been roughly following the CAPE estimated learning curves. I do not anticipate a significant increase in production costs. In 2010, the Department began the transition to fixed-price contracting which will transfer responsibility for production cost to the supplier. In 2011, the Department also negotiated an agreement with Lockheed Martin whereby Lockheed would assume shared responsibility for costs associated with design changes resulting from problems found during testing. This concurrency risk will continue to exist for the next few years but decline as the test program is completed. The Department has budgeted funds to cover the anticipated costs of changes associated with concurrency, but there is some risk that these contingency funds will not be adequate.

*Sustainment Cost Increases:*

Projected sustainment costs are too high and the Department must do everything it can to bring them down. The SAR submission is based on the Department's best estimate at this time. However, I have set an affordability target for sustainment that challenges the Air Force, Navy, and Marine Corps and the Joint Program Office to achieve lower costs than the current estimates by a significant margin.

I would like to be able to say that there will be no further cost increases, however, that would be unrealistic and naive. There are many factors that could result in changes that could affect the current estimates. If I am confirmed, I will continue to do everything I can to control the costs of the program, and if any of those changes occur, I will be clear and transparent in communicating to Congress the magnitude, reasons, and effects on the program.

Mr. KENDALL. We have estimates of the changes that we could expect through the test program. We can give you that. But there is some risk, of course, even associated with that.

I do think that the Strike Fighter is getting under control. I would like to say just a couple of words about that, if I may.

We are attacking the production costs by putting strong incentives on the contractor to control costs and to get the changes that have to be made cut in quickly. We are focusing increasingly on the sustainment costs which are larger actually than the production costs. We have made some progress there this year in some areas but we slipped a little bit in some areas as well. That is where we think the greatest potential is. Dr. Carter testified a year ago about getting large fractions of that cost down, and I think we could approach that. I have set a goal for us to accomplish that.

Senator MCCAIN. As far as the *Gerald R. Ford* is concerned, also would you tell us how much more in cost overruns we expect on that particular product. Okay?

[The information referred to follows:]

*Historical and Current Cost Estimates:*

The current total acquisition cost estimate in the December 2011 Selected Acquisition Report (SAR) for the three ship CVN–78 program, in base year 2000 dollars, is $27.8 billion, which is a decrease of $0.9 billion from the original baseline estimate of $28.7 billion in 2000. Relative to the updated baseline established in 2004 at $27.2 billion, the current estimate represents an increase of $0.6 billion. In then-year dollars, the current estimate of $42.5 billion is $6.5 billion over the 2004 baseline estimate of $36.0 billion for the three ships. Much of this increase in then-year costs is due to budget moves, which delayed award of the construction contract for the CVN 79 from fiscal year 2012 to fiscal year 2013 and for CVN 80 from fiscal year 2016 to fiscal year 2018, and stretched the construction period for each by about 2 years.

Costs for the CVN–78, *Gerald R. Ford*, have risen from an original estimate of $10.5 billion to a current estimate of $12.3 billion as submitted with the President's budget for fiscal year 2013 (PB–13), an increase of $1.8 billion.

The increase in the total acquisition cost estimate from the start of the development program in 2004 to the current estimate is attributed to $680 million in design cost for the lead ship, $955 million in Government Furnished Equipment (GFE), $273 million in the government share of the basic construction of the ship by the shipbuilder, and $67 million increase in shore based spares for the ship. There are also reductions in the program that lowered the estimates by $141 million.

Increases in the GFE costs were attributed to growth in development of the Electromagnetic Aircraft Launching System (EMALS) by $538 million, modifications to and additional testing requirements for the Dual Band Radar (DBR) amounting to $293 million, growth in the Advanced Arresting Gear (AAG) development by $43 million, and other combat system equipment growth totaling $81 million. Risk of further growth in EMALS and AAG production is mitigated by the fact that both systems are being procured under a firm fixed-price contract.

Growth in the design and engineering products was attributed to the extent of concurrent design and major system development, the existence of a new ship specification, and a significant change from the prior *Nimitz*-class ship specification under which the shipbuilder had built the past 11 carriers. The Navy recently converted the design contract from a level of effort cost type contract with fixed fee to a completion type cost contract with incentive fee. Risk of continued growth in design is limited, as the design is now over 90 percent complete.

Shipbuilder cost growth on actual construction has been affected by material cost increases, late material orders and deliveries, and resolution of some first-of-class construction issues. The primary construction issue was the use of a different alloy steel than in previous carriers for many of the decks and bulkheads. This allowed for thinner plating to save weight, however, the shipbuilder did not adequately plan to maintain flatness standards, requiring more extensive use of temporary bracing and rigging, and additional labor hours to eventually resolve.

*Risk of Additional Cost Increases:*

Specific projections of any future cost increases would be speculative and the Department's current estimate is its best estimate. If confirmed, I will continue to make every effort to control and reduce costs. While the above discussion represents the Department's current best estimate of program costs, there are risks that could drive cost increases during the remainder of the program. If the Program Manager's current most likely estimate at completion for the shipbuilding contract is realized, the CVN–78 will require an additional $417 million beyond that provided in PB–13. The primary risk area is that the shipboard testing program, which will integrate and test many new systems not found on any existing aircraft carriers could lead to discovery of unknown technical issues, either in hardware or software. Other known risk areas include: integration of the DBR into the topside design and completion of DBR testing; late component deliveries for the AAG, which could require the shipyard to implement workarounds against the build plan; completion of AAG software to support shipboard testing; integration of the power system for EMALS, which by necessity will first occur once all four catapults are installed in the ship, and which could not be fully tested at the land based test site; and completion of the machinery control and monitoring system software to support shipboard testing, which also affects powering the EMALS for testing.

I would like to be able to say that there will be no further cost increases, however, that would be unrealistic and naive. Until the ship delivers, there remain risks that could affect the current estimates. If I am confirmed I will continue to do everything I can to control the costs of the program, and if any of those changes occur, I will be clear and transparent in communicating to Congress the magnitude, reasons, and effects on the program.

Senator MCCAIN. Right now I understand it has been $1 billion cost overrun. Is that correct?

Mr. KENDALL. When you take all the cost overrun, I think it is actually more than that, Senator McCain.

Senator MCCAIN. Ms. Shyu, you served as senior director for Raytheon's participation in the Joint Strike Fighter program?

Ms. SHYU. Senator, I was on the losing side, unfortunately.

Senator MCCAIN. What does that mean?

Ms. SHYU. That means our team, the radar system, everything we let, was on the Boeing team.

Senator MCCAIN. I see. But you did observe the progress or lack of progress of this aircraft?

Ms. SHYU. Yes, sir.

Senator MCCAIN. Your conclusion was?

Ms. SHYU. My conclusion is too much concurrency in the design development of the program.

Senator MCCAIN. Yet, Mr. Kendall, we are seeing concurrency practiced on the Joint Light Tactical Vehicle (JLTV) and the Ground Combat Vehicle. Are they practicing concurrency?

Mr. KENDALL. The problem with concurrency, Senator McCain, is the degree of concurrency. Most programs start production before they have completely finished their developmental tests. The question is how much. In the case of the Joint Strike Fighter, which is an extreme example of concurrency, production was started more than a year before the first flight test.

In the programs that you mentioned, we will go somewhere into developmental test where we have prototypes that are fairly production representative and we will have confidence in the stability of the design. What we are doing now is we are setting up exit criteria so that we do not make that production commitment until we are confident that the design is reasonably stable.

Senator MCCAIN. Are you confident that both of those programs, the JLTV and the Ground Combat Vehicle, will not experience overruns?

Mr. KENDALL. I am not confident that any defense program will not experience an overrun. That would be quite a statement after the last 50 years of history.

Senator MCCAIN. Can you tell us what you estimate the cost overruns will be on these programs?

Mr. KENDALL. We are going to do everything we can to not have a cost overrun. I do not have an estimate that would suggest that there would be one. It is a self-fulfilling prophecy. We are funding our programs to the independent cost estimates, and we are going to try to cap our programs there.

One of the things that we are doing now is setting affordability targets early for programs and forcing them to do the tradeoffs that have to be made so that they get under the cost that they initially put as a cap on the program. There has been a reluctance to do that in the past, and I think that will have a dramatic impact on the new starts that you talked about, both the JLTV and the Ground Combat Vehicle.

Senator MCCAIN. Dr. Miller, one of the concerns that I had that I relayed to Secretary Panetta concerns the study that we asked for concerning the base realignment from Okinawa and Guam. One of the reasons why Senator Levin and I and the committee unanimously asked for this study is because the costs have gone from previous estimates of some $6 billion to now $16 billion with frankly no really hard numbers in sight.

We asked for an outside assessment as to what plans should be for this much needed base realignment, and that bill was passed by the Congress of the United States in December and signed into

law in December. Now, 3 months later, they still had not let the contract.

I understand the contract for an outside study was awarded just a few days ago. But we asked for that study so that it would be part of the deliberations in developing the plans for the base realignment. Instead, you waited 3 months. I do not know why it would take 3 months to ask for an outside study. Now Senator Levin and I are being briefed this afternoon on the plans for base realignment. An outside observer, casual observer, would view that as a complete disregard of the instructions of the NDAA of 2011.

Maybe you can explain to me why it would take 3 months to ask—there are many outside groups—to conduct a study. By the way, we asked for that study to be completed by the 1st of March so that as we deliberate on the defense authorization act for this year, that that would be part of our deliberations. Do you understand my frustrations, Dr. Miller?

Dr. MILLER. Senator McCain, I do. I am going to come back over and meet with you, Senator Levin, and Senator Webb and walk through what happened with this contract. There is no excuse for taking this long to get something on contract, and I will not make an excuse for it, sir. But we will have a proposal to show you and Senators Levin and Webb on how we can still make good use of the work that you have proposed from this outside group. They have already begun working and we believe we have a good plan, sir.

Senator MCCAIN. I thank you for that, Doctor, but I hope also that you understand to some degree the frustration that we feel. Senator Webb traveled throughout the region. Senator Levin traveled with him. We have had briefings. We have had conversations with not only American leaders and officials but foreign leaders and officials on this issue, Japanese delegations. Then we make an input and it is if not willfully ignored, certainly not pursued to fulfill the will of Congress and the legislation passed by Congress and signed by the President of the United States.

We look forward to meeting with you and others on this issue and the other issues such as the Medium Extended Air Defense System (MEADS) and other concerns that I have raised.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain. I join Senator McCain in the expression of frustration with not complying with the congressional intent—it is not just intent. It is the language of the law. I share very much in that frustration and look forward to that meeting this afternoon.

Senator Begich is next.

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

I want to follow up on those comments, but also the discussion that went back and forth with Senator Ayotte in regards to what sequestration would do. I think the word I heard—and I do not know if it was the word of the day—was devastating.

But I also think what you just heard is also devastating. That is billions that for years—let me give you an example. Last year, this committee unanimously agreed to get rid of the funding for MEADS, but you have now presented again in your budget to fund it, almost a half a billion dollars. It makes no sense.

Now, I know you will tell me the contract says this. Every contract ever let by any department of any Federal Government, State government, local government is subject to appropriation. Subject to appropriation. Now, I know people say, well, we never really exercise that. Well, too bad. Contractors sign that. I was a mayor. That is how it works. You sign it. You understand if we do not give you the money because we do not appropriate it, then you are out of business. We do not do the contract.

I understand and I know what is going on because people want to make the case later down the road a couple months from now we will try to delete the Defense Department out of the sequestration and then take it out of the hide of everyone else. Everyone is on the table until we resolve this because is it not more devastating than if we do not solve the deficit problem, sequestration is pocket change compared to what will happen if the economy crashes because we cannot deal with the deficit.

Who would like to dare to throw something on the table and answer that? Am I mistaken? I think some of the folks in the military, DOD, have said the debt is the biggest security risk to this country. Did I miss that?

Mr. KENDALL. Senator, I cannot comment on the broader issue, but I would like to say a word about MEADS, if I could.

MEADS is not just a contract. It is an agreement with two of our most closest international partners.

Senator BEGICH. I understand that.

Yes, and we pay 75 percent of it for a system we are not really going to use fully. I understand that. I have had this debate in my office with folks from not your shop specifically, but from everyone from the Pentagon to the contractor because they get a little freaked out when we start talking about canceling a program. We passed in the defense authorization bill do not do this program, and you present the budget for $400 million more.

I understand all this international relationship activity, but we are paying the tab. Two of the countries, Germany—and I think it is Italy, the other one. Italy has no money. They are in their own problem. Germany questions this but I know the machinery has been busy to make sure we have letters from folks to say they are there.

I understand the word of the day is devastating. I will use that word. It is devastating to hear all these cost overruns and lack of recognition and I cannot remember how you exactly said it, but you said you will always have cost overruns.

Mr. KENDALL. Senator, what I said was that I cannot guarantee we will not. I am going to do everything in my power, if confirmed, to eliminate them and actually save us money on our programs to come in below the budget. That is what we are challenging all of our people to do.

Senator BEGICH. That is good.

Mr. KENDALL. But the history suggests that is going to be a very difficult task.

Senator BEGICH. It would be pretty much like almost 100 percent of the history. A high number.

Mr. KENDALL. We rarely have a program that does not have overruns, at least somewhat.

Senator BEGICH. That tells you the system is broken.

Mr. KENDALL. It tells me, after 40 years of experience in the system, that we have a lot of forces for optimism and that we make mistakes about what we can do and how long it will take and what it will cost routinely for a variety of reasons.

Senator BEGICH. I would say this. As a former mayor, if I had my purchasing department have a record like that, a high percentage of them would not be working there. There would be a different deck because obviously they are incapable of the long-term determination of what these values are. I will tell you, you can do projects if you design and change it, and let me give you one example.

When we built the convention center in Anchorage, $100 million plus everyone feared it would go over budget. We did something that government never does. First off, we made a guaranteed maximum price based on a 35 percent design, and then we made sure the contractors, the people that actually owned the companies, personally guaranteed any cost overruns. None of this garbage about their corporations because that is phony baloney stuff. But suddenly when you get the chief executive officer (CEO) to have to sign a $2 million personal guarantee, just like every bank does for them—we are the best bank, the Federal Government.

I would encourage you for every contractor that does business with us that has a record of cost overruns, you tell the CEO and the chief financial officer (CFO) we have a new arrangement because they make a lot of money. When I look at these contractors, these CEOs make a lot of money. Put their name on the dotted line, and I guarantee you—just like we have here, if our budgets and our operations, our personal offices go over budget, guess what. I have to write a check for all the employees that work for me here in the Senate. If I go over budget, I have to write a personal check. So change the deck and get a little more responsible.

This was not my line of questioning. I just got a little agitated here when I heard the word of the day is devastating. Somehow we are to blame for it. We are all in this mess. The lack of oversight over the years of the Defense Department and the cost overruns that you just heard cited, the lack of following through on things we pass here and tell you to do, you do not do. Let me stop my rant and get to my questions. I apologize. But you understand my point.

Mr. KENDALL. I do, Senator, and I agree with you completely we have to get better business deals. That is the essence of what we need to do. We need very strong incentives for our contractors to give them a very good reason, a very good financial reason, to do better. That is what they will respond to.

Senator BEGICH. Yes. Have the CEOs and CFOs sign on the dotted line personally.

I will tell you what happened on that project. Guess what, we got it done right on schedule; and guess what, below the budget. It was amazing, an amazing thing. We got more for the money we spent because they got innovative. I am just giving you a thought here. Now, of course, the contractors did not like it, but guess what. They are still doing business in our city because they became a

very good qualified, and they use that now as an example to get business around the country of what they can do. They can use it.

Let me put you on hold for a second, if I can.

Secretary Conaton, let me ask you. I am sure you were aware that I was going to do this to you on Eielson Air Force Base. It goes to the same thing. Here we are in the process of the Air Force determining that Eielson should have a reduction within the F–16s and shift them. They have estimated around 600 military personnel, undetermined civilian personnel. For some reason, they cannot figure that out. But they have already identified the exact potential savings they are going to have because they presented it through the budget process. The end result is they have calculated that in and everyone signed off on it. So it is all good.

But now they are sending a team up—will not even be there until mid-April—to determine what the savings are. Help me here. It seems a little backwards. I think usually you send a team in, do an analysis, and not just on the Air Force but the secondary impacts. For example, they have no clue if Elmendorf, where they want to shift these, will have the capacity to house these new facilities, as well as the personnel to go along with it, and the air space that is a lot more crowded than ever before. We are the fourth largest cargo hub in the world. That is not the case it was 20 years ago when they used that as an example. Now they think they can save money. So help me here.

Ms. CONATON. Sure, Senator. I know this has been a topic of conversation between you and Secretary Donley and General Schwartz. I understand that you still have some outstanding questions that you have not gotten complete answers to. Let me, on their behalf, promise to go back and follow up.

In terms of the timing, the simple reality was because of the need to achieve the savings that you referred to earlier in terms of meeting the Budget Control Act targets, we had to make a series of decisions in the time frame of the budget cycle inside DOD. Part of the reason that we do not have that change at Eielson kicking in until fiscal year 2015 is in order to do some additional work. I definitely understand your frustration about the order in which this has been undertaken.

Senator BEGICH. I will just end as my time is up. They said in the hearing we had—or not hearing but public meeting that families will be started to be moved or troops in 2013. That is not far away. I am very nervous about the uncertainty they are sitting with in that community because they have been told in the next 7 months or so, 2013, this starts moving. We are very nervous about the lack of understanding of the costs. If you could respond back to us.

Everyone who comes here gets this question. If you have Air Force tagged on you, you are going to get the question.

Ms. CONATON. I appreciate that, Senator, and I do promise to get back to you with some additional information on behalf of Secretary Donley and General Schwartz.

[The information reffered to follows:]

The fiscal year 2013 Force Structure Announcement included a net impact of −668 positions which includes the fiscal year 2013 move of the Aggressor Squadron (19 F–16s) to Joint Base Elmendorf-Richardson (JBER). Breakout for the fiscal year

2013 manpower reductions are: −623 Active Duty military associated with Aggressor move from Eielson to Joint Base Elmendorf-Richardson, −41 civilians that were previously announced in fiscal year 2012, +8 Active Duty military for medical, and −12 Active Duty military for other actions. There are no changes to the Air National Guard refueling unit (8 KC–135s) in this or other years. The fiscal year 2013 President's budget also adds 43 Base Operating Support Military positions required to support the Aggressors at JBER. In fiscal year 2015, right-sizing the operations and support for the remaining missions at Eielson has an additional projected impact of −928 billets in fiscal year 2015 (−583 military and −345 civilians). The fiscal year 2015 numbers will be further refined as we conduct Site Activation Task Force visits to guide implementation. The estimated net savings associated with these actions is $3.5 million in fiscal year 2013 and $169.5 million over the Future Years Defense Plan.

Senator BEGICH. Thank you very much.

Mr. Chairman, I have some other questions I will just submit for the record on rare earth issues and some other issues, and I will just submit them for the record. Thank you very much.

Chairman LEVIN. Thank you very much, Senator Begich.

Senator Brown.

Senator BROWN. Thank you, Mr. Chairman.

Mrs. Wright, I just had a question regarding the cuts in the Air Force—proposed cuts. When the Air Force decided to propose what I viewed as lopsided cuts to the Air Guard, it gave me pause, and the reason is that I think there may be a better way, a way that preserves the readiness at a fraction of the cost, and I believe we could do this by leveraging the expertise, skill, and combat experience in the Guard and Reserve.

My question is the NDAA for Fiscal Year 2012 directed that the Department provide Congress with a report on the difference in costs between the Active and Reserve components. Would you agree that we should wait until we have the most up-to-date and accurate information before imposing those cuts to the Guard and Reserve?

Mrs. WRIGHT. Sir, I will tell you all that the Services, along with the Air Force, had a very difficult decision to make with this last budget. I believe they put their best effort forward managing capacity and capability, and they made responsible choices.

Senator BROWN. Yes, but do you think we should wait for the report for the most up-to-date information before we go cutting? I can think of Westover Air Reserve Base where we have C–5s that are basically 80 percent battle-ready versus Active components at 40 percent, give or take, and yet we are going to be shifting and cutting and moving. I have to be honest with you. It does not make a heck of a lot sense when you have 80 versus 40, you have battle-ready versus not, and you have teams that have worked together forever and they are potentially going to be dismantled or moved. How does that make sense? Would that report not help determine where the cost/benefit analysis is before we do something that we may not be able to recover from?

Mrs. WRIGHT. Sir, I do understand the issue, and I do know that there are four different cost/benefit analyses going on within the Department. One was directed by Congress. I believe that the Air Force has really looked at a lot of different cost methodologies when making the decisions that they have recently made.

Senator BROWN. So you are saying we should or we should not wait? It is just simply should we wait or should we not?

Mrs. WRIGHT. I believe the Air Force has already paid attention to the cost/benefit analysis that they have used for this particular budget.

Senator BROWN. The fact that we directed that they do a report and the difference really is irrelevant then. Is that what you are saying?

Mrs. WRIGHT. No, sir. I believe that they clearly will be paying attention to these upcoming reports also when making further decisions.

Senator BROWN. Ms. Conaton, what do you think?

Ms. CONATON. Senator, I know you had an opportunity to have this discussion with Secretary Donley and General Schwartz.

My answer, I guess, is similar to what I said to Senator Begich, which was the nature of the timeline we were on in terms of having to achieve the reductions in the budget under the Budget Control Act forced a very intensive period of analysis leading up to the budget. I know Secretary Donley and General Schwartz have explained to you that their thinking and Secretary Panetta's thinking is that with the new strategy and with the operational demand they see going forward, that is what led them to be more comfortable with the cuts that you have seen as part of the budget. I definitely appreciate your perspective. This was——

Senator BROWN. It is not just mine. It is quite a few members of the committee.

Ms. CONATON. Yes, sir. No. I understand. This was, I think, one of the most difficult decisions that was made certainly within the United States Air Force and I definitely respect your opinion on that.

Senator BROWN. I have to tell you. The Army, I think, has struck a very solid balance between Active, Reserve, and Guard. I have to tell you the Air Force, on the other hand—I think I can speak for a lot of folks here. It is like they are taking all their toys and say, oh, we got them now, and then the Reserve and Air Guard are getting the short end of the stick.

I would like to maybe just shift gears for a minute on what you think the role of women in combat is. Do you think it is appropriate? Do you think that by removing the barriers for those women servicemembers, rising on the ranks based on their talents and capabilities regardless of gender is appropriate?

Ms. CONATON. Yes, sir. I agree with the recent report that the Department put forward which would open up some additional 14,000 positions that had been previously closed to female servicemembers. I also agree with Secretary Panetta that this opportunity to expand those positions will give us lessons learned for where we take next steps. I know the Department is committed to trying to look at making positions available based on women's qualifications and physical abilities rather than on gender per se.

Senator BROWN. I think, quite frankly, they need to go a little bit further than that. I know personally our military fellow was a Kiowa pilot commander of men and was in Iraq and Afghanistan. If that is not the front lines, flying Kiowa missions and shooting people and weaponry and the like and targets, I do not know what is. I would actually encourage you in your position to advocate to, if qualified—if qualified—they should have the ability to serve like

men. I have been in 32 years. I see them serving and I have served with them regularly. As I said, if they are qualified, they should have the same opportunities because there is that inability to rise up. There is a reason we do not have many four-star female generals and that is because of the barriers that have been placed.

On TRICARE, I might as well stick with you. TRICARE is something I feel that was a contract between the men and women who have served as part of their effort to serve and serve well. I understand that there are budgetary pressures, and I agree with former Secretary Gates when he said health care costs are eating the Department alive. I understand that. But I will tell you I believe it is wrong and I think there are others—this very specific benefit that we promised to a very small group of people in this country, and I think it is wrong to tell those who signed on the dotted line—those who had a very clear understanding of the contract that they signed and listening to your contract is now changing. In the last year, we had to increase your premiums, and guess what? We are going to increase them again.

To what extent have TRICARE managers executed best practices from the private sector to better manage health care costs so those costs are not going to be as high as maybe proposed?

Ms. CONATON. Senator, I am not yet in the position, so I do not have great detailed knowledge on what has occurred up to date.

Senator BROWN. I thought you were running the whole thing. [Laughter.]

Ms. CONATON. But, sir, what I do know is that the effort to deal with health care costs—and as you point out, I think Secretary Panetta is on the record before this committee saying that in this year alone it will be close to $50 billion in health care costs.

But those costs have to be gone after in a couple of different ways. Obviously, you have highlighted the TRICARE fee increase, but there has also been a number of efforts to get at the cost of provider care and also making DOD's own TRICARE management more efficient. This is an area that I would intend to spend a great deal on, if confirmed. I appreciate the concern.

Senator BROWN. Thank you and good luck to everybody, all of the witnesses. Thank you.

Chairman LEVIN. Thank you, Senator Brown.

Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman. I would like to add my aloha to this esteemed group of nominees that we have before us today. I would like to begin by thanking you for your public service over the years that you have given our country and your desire to continue to serve our Nation in these very important roles.

I also want to thank your families and also your friends who are here who have supported and will continue to support you.

I want to say a special aloha to my good friend and brother, Ike Skelton, who is here. There are so many memories that we have had on the House side. They are great memories.

If confirmed, each of you will face significant challenges—and you know this—in your new positions. But looking at your background and experiences, I feel confident that you will be very able to handle the tasks that are before you.

Secretary Conaton, foreign language skills and cultural understanding are critical in carrying out the Department's mission. However, our Nation has a shortage of employees with these skills. Often we compete with the private sector for individuals with these abilities. What steps will you take to ensure the Department has the language and cultural skills that it needs?

Ms. CONATON. Senator, thank you very much. I completely agree with you that language and foreign culture knowledge has not only been critical over the last 10 years, but I think it is a set of skills that our military needs to maintain. If confirmed, sir, I would first go and look at the whole range of programs that we have currently underway to see where they are successful and where they perhaps have room for improvement and where we might find additional sources of recruiting folks with resident language capability, as well as those who have an affinity for language and could pick it up more quickly. But, sir, if confirmed, I would love to come, sit, and talk and get your perspective before I get underway in that work.

Senator AKAKA. Thank you very much.

Dr. Stanley and I have been in contact and we have talked and in this particular case about a replacement commissary at Barbers Point on the island of Oahu. I understand that the commissary also recommended building this replacement commissary in light of the ever-growing demand for this benefit in West Oahu. If confirmed, I hope you will keep me informed on the progress of this project.

Ms. CONATON. Senator, yes, if confirmed, I would be happy to get up to speed on where that stands and come back and visit with you.

Senator AKAKA. Thank you so much.

Ms. CONATON. Thank you.

Senator AKAKA. Secretary Kendall, last year the Department named a new director of Pentagon pricing. In this budgetary environment, we must continue to do everything we can to improve the procurement process and efficiently use our taxpayers' money. In my opinion, this includes realistic requirements making sure that we get good cost and pricing data from potential vendors, and that the Department has a skilled and capable acquisition workforce to analyze proposals to manage the acquisition projects. My question to you is how does the Department ensure it has reliable cost and pricing data and is developing the skilled workforce needed to manage our major acquisitions?

Mr. KENDALL. Thank you, Senator Akaka. The two questions are closely related. The skilled workforce is the basis by which we are able to assess the pricing data that we receive from industry, and we do that as we examine our contracts. We have increased our use of that for some of our contracts in order to ensure that we are getting fair, reasonable prices from our vendors.

The workforce has been under a great deal of attention both for Dr. Carter and myself and with tremendous support from first Secretary Gates and now Secretary Panetta. There was a recognition a few years ago—and I want to compliment the committee in particular for their Defense Acquisition Workforce Development Fund (DAWDF) initiative, which came from this committee, which has given us the resources to increase the size of the acquisition work-

force and to bring on key skills like pricing you mentioned, but program management, system engineering, and particularly contracting so that we have a better sized workforce relative to the workload. There was a tremendous drawdown in the 1990s.

I am focusing my attention much more now—and I would, if confirmed—on the quality of that workforce and its capacity to do its job, the training it receives, the mentoring it receives from people who are retiring out of the system, capture those skills before they leave. We have a ways to go in terms of building up the capacity within the workforce. Given the drawdowns that we are having in the overall budget, it is going to be hard to sustain the growth that we have had, but we want to hang onto what we have under DAWDF, perhaps get a little bit more, and then turn increasingly to the skill set of the workforce.

Senator AKAKA. Thank you.

Dr. Miller, with respect to Afghanistan, many believe that the U.S. and its partners need to work with Pakistan and other neighboring states to reach a political settlement even if such a settlement might be favorable to the Taliban. Dr. Miller, can you discuss your view of a potential political settlement?

Dr. MILLER. Thank you, Senator Akaka.

First of all, our work with Pakistan is extremely important both in our own bilateral relationship and in ensuring that we are able to succeed in Afghanistan. We currently have in Pakistan sanctuaries in which Taliban fighters have been able to operate and come across the border, and although Pakistan has done much more in recent years to deal with them, we continue to work with them to try to do yet more.

With respect to a political settlement in Afghanistan, this is the so-called conversations on reconciliation and at a lower level fighters on reintegration. We have seen about 3,800 former Taliban fighters come off the field—3,800 or so in the last couple of years through reintegration and expect that that effort will continue. That is led by the Afghan Government.

With respect to reconciliation and the potential conversations with the leadership of the Taliban, first of all, those are essentially on hold at the present. But the objective is to structure a process in which Afghans talk to Afghans about the future of Afghanistan. If the Taliban are to come into that political process, they have to meet the criteria that have been established, including renouncing ties with al Qaeda, including entering into a political process, and honoring the Afghan constitution. The requirements for the Taliban to be able to participate as an outcome have been laid out very clearly by Secretary Clinton and by others in the administration. That door is open to them to come in, come off the battlefield, and legitimately participate should they be prepared to do so.

Senator AKAKA. Thank you.

I wish you all well and thank you for your responses.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Akaka.

I am now going to turn the gavel over to Senator Reed who will recognize Senator Cornyn right away. The vote is on but they are holding it until 11:45 a.m., so you will be able to get your questions in.

I will leave with this request of you, Mrs. Wright. You made reference, I believe, to a number of studies that are looking at cost/benefit methodologies relative to those proposed cuts in the Air Guard. I have real problems with those cuts. They are totally disproportionate to the reductions in the Active-Duty Force, and my staff is going to be in touch with you to get those studies to us so that we can see what it is that went into that decision because I agree with what Senator Brown said. They just appear totally disproportionate to me.

Ms. Conaton, I hope your nieces and nephew got enough material here today to write their reports.

I will recognize Senator Cornyn and give the gavel to Senator Reed.

Senator CORNYN. Thank you, Mr. Chairman. I hope they will share that report with us. Maybe we will learn something in the process. [Laughter.]

Dr. Miller, this will not come as a surprise to us, but thank you for meeting with Senator Kyl, myself, and Senator Alexander about this topic. What I would like to do is get some of the substance of our discussion off the record, on the record. Of course, that has to do with the shortfall for the National Nuclear Security Administration (NNSA) weapons activities.

Using the 1251 modernization plan which was the basis upon which, I think it is fair to say, a number of Senators voted for the New START treaty as the baseline, the fiscal year 2013 request falls $372 million short and funding between fiscal year 2012 and 2017 could fall $4 billion short of the 1251 commitment.

What I would like to get from you and Mr. Kendall is your commitment to work with this committee and to work with Congress to identify efficiencies within the national laboratories or NNSA that could free up funding for the important weapons life extension programs and perhaps even fund the construction of the Chemistry and Metallurgy Research Replacement Nuclear Facility, the plutonium producing capability, on its original schedule. $300 million is needed in fiscal year 2013 and $1.8 billion over the next 5 years.

Will you give me your commitment, give the committee your commitment to work with us to try to find that money to keep that original program on track?

Dr. MILLER. Senator, you have my commitment to do so and to work with this committee, with Congress, and with the NNSA. Since we have met, I have had an opportunity to talk with the Administrator, Tom D'Agostino, and I can reassure you, as we discussed privately, that he is committed to doing everything possible to find efficiencies in his program. We will continue to provide support from DOD including through our cost analysis and program evaluation study that is underway today.

Senator CORNYN. Thank you very much.

Mr. KENDALL. I am going to make the same commitment, Senator Cornyn. We are actively working this issue with the NNSA.

Senator CORNYN. Thank you very much for that.

Mr. Kendall, you testified in front of the House Armed Services Committee about the Joint Strike Fighter and indicated that it made strong progress in 2011. I share Senator McCain's frustrations—I am sure you have some—for the cost overruns. But I won-

der whether all of us fully appreciate when you have a high degree of concurrency built into a cutting-edge program like this, just how accurate the original cost estimates can be because you are essentially developing this technology as you are building it and it makes things very challenging.

My question is a little more specific about the time it is taking the Department to get F–35 production lots on contract. The fiscal year 2011 airplanes, lot 5, for which money was appropriated a year ago, are still not on contract. The delay in finalizing that contract could potentially put the fiscal year 2013 funding for this program at risk. The reason I say that is because the appropriators in 2011 cut planes last year and cited the principal reason as the Department's delay in getting the fiscal year 2010 aircraft on contract. I would urge you to expeditiously finalize the contract and would be glad to hear any comment you would care to make on that topic.

Mr. KENDALL. We are in negotiations for lot 5 now, as I think you are aware, Senator Cornyn. We have an undefinitized contract. The production is proceeding, but we have to negotiate a final price. I cannot really talk about the details of that negotiation, obviously.

We appreciate the concern. We would like to have moved from where we seem to be doing undefinitized contracts each year, then taking a long time to finally definitize to a situation in which we can get a definitized contract earlier. We are hopeful as we transition to lot 6, then to lot 7, that we will be able to do that. As we get experience, obviously, and we get a better understanding of the cost, it should be much easier to negotiate these contracts as we go forward.

Senator CORNYN. This always seems like a very mysterious and arcane subject, which I think the lack of clarity that we all have makes it more likely that there will be cost overruns in the future. I would welcome the opportunity to work with you and the Department, as I know we all would, to try to bring greater clarity to the process so we can, hopefully, keep this essential program on track. Since we put all of our eggs in the F–35 basket, as the saying goes, we better take care of the basket.

Mr. KENDALL. I agree with that, Senator Cornyn.

Senator CORNYN. I would like to ask one last line of questioning for Dr. Miller and Mr. Kendall. This has to do with the subject I have discussed with Secretary Panetta and also the Chairman of the Joint Chiefs of Staff. This regards a contract that DOD has with a Russian arms exporter, Rosonboronexport, to provide 21 dual-use Mi-17 helicopters to the Afghan military. The reason why this has become so important is because, of course, this is the same arms merchant that has sold weapons to the Syrian Government used to kill innocent Syrians who are protesting the tyranny of the Assad Government.

Specifically what I wanted to ask you about is the original contract calls for $375 million for the purchase of 21 Mi-17 helicopters and spare parts. But reportedly there is an option to purchase for an additional $555 million which would raise the total value of the contract to $1 billion. I know I am not alone in being concerned that DOD would enter into a no-bid contract to purchase Russian

helicopters when there are American-made helicopters that surely must be available to meet that requirement. Unfortunately, I think the contract undermines our goal for national security and is at odds with the U.S. policy toward the Assad regime.

I would just like to ask, Mr. Kendall, Dr. Miller, do you share my concerns about DOD's ongoing business dealings with Rosonboronexport? I wonder whether you can add any comments that would give us some assurance that we are not doing business with the very same people who are aiding in the killing of innocent civilians in Syria.

Dr. MILLER. Senator, first of all, I want to say explicitly that we have had and have ongoing discussions with the Russians about any support to the Assad regime in Syria, and we will continue to do so.

The issue with the Mi-17 in Afghanistan comes down to one that it is an aircraft that is first well-suited, extremely well-suited in fact, to the altitude and rugged terrain of Afghanistan, and it is one that the relatively small number of Afghan pilots that are currently in place and that we are continuing to try to train have an understanding of how to operate. The challenge that we have is that there is not another aircraft in the world that has the same combination of capabilities to be able to operate in Afghanistan, nor that the Afghan air forces will be able to train and fly on.

Understanding the concerns that you raise about working with Rosonboronexport, we are continuing the effort that started a couple of years ago to have an explicit transition plan over time so that we do not find ourselves in this position in the future. That is for the rotary-wing support. We are looking to be able to transition over time. Sir, because the transition is so important in Afghanistan and because, as I said, this aircraft is well-suited and the people that we have and are training the Afghan air force to fly it are capable of operating this, I just think it makes tremendous sense for us to continue with the Mi-17 and to have that be the critical part of how we transition in Afghanistan. As we talked about previously, we stand shoulder to shoulder with the Afghans, but we are shifting the weight increasingly onto their shoulders. We need an aircraft that can allow them to be able to conduct these operations.

Senator CORNYN. Dr. Miller, you strike me as a very decent human being and a good man, no doubt a great patriot, and I know you must be troubled. I know you are doing your job and trying to deal with a tough situation. But it just strikes me as completely unacceptable for us not to continue to look for an alternative to purchasing these helicopters for the Afghan army, and if we need to help them with training for a different helicopter, they can be purchased from another source. That would strike me as a good thing, and I bet you would agree.

Dr. MILLER. Senator, I fully agree. At the same time, I do not see a viable alternative today or within at least the next year. I have, for the last couple of years, looked into—and to say encouraged would be an understatement—our work to find alternative platforms, and I will continue to do so. I think it is possible Mr. Kendall wants to comment as well. This is an important effort from a policy perspective, but it is one where we have to get an acquisi-

tion of rotary wing capabilities that provides this set of capabilities that we can then have not just Afghans but others that we can sell to around the world for our own operations and for foreign military sales that could be used.

Senator CORNYN. It strikes me, Mr. Kendall, as strange that the Russians can build a helicopter that meets Afghan requirements but U.S. manufacturers cannot. Is that your understanding?

Mr. KENDALL. The situation is they have a helicopter in existence that meets those requirements. We could certainly build a similar one if we had the time. It is relatively simple to operate and to maintain, and it operates well in the environment of Afghanistan.

Part of the history of this is that we attempted to acquire Mi-17s through other sources originally, and Russia controls the export of them fairly carefully through Rosonboronexport that you mentioned. We were forced to go through that vehicle.

Unfortunately, we would be depriving the Afghan military something they desperately need if we were to follow the line that you suggested, and I agree with Dr. Miller on that.

Senator REED [presiding]. Thank you very much, Senator Cornyn.

Before I recognize Senator Blumenthal, let me take my questions.

First, let me thank Secretary Kendall for remembering Sergeant Dennis Weichel, and his service and sacrifice, as you said, Mr. Secretary, personifies the American soldier, sailor, marine, and airman and all they do every day. Thank you for that.

I think you also very eloquently stated that the decisions we make here, not just in DOD, but on this side of the dais ultimately are carried out by young men and women like Sergeant Weichel, and we have to be very conscious of that in everything we do. I think this group of nominees feels that intensely. General Wright, you have served and so many have served in different ways. Thank you very much for that.

Secretary Kendall, one of the issues that we have talked about is the nuclear infrastructure to create and maintain nuclear devices. There is another big part of that. That is the delivery platforms. Where you are facing a significant set of challenges, the lead procurement item is the *Ohio*-class replacement submarine, but the Air Force is talking about the need ultimately to replace their fleet. You have to make, I presume, improvements in ground-based systems.

When the Services look individually at the cost—and I have more fidelity with respect to the Navy—these are very expensive platforms. They crowd out spending for other necessary ships in the Navy's case. I think there is a very compelling case because this is a strategic issue that the Services alone should not fundamentally share the burden, that in fact there has to be some DOD defense money because of the strategic nature committed to help the Services. I think the most immediate situation is in the Navy.

Can you reflect on that and share your views?

Mr. KENDALL. Yes, Senator Reed. The Department basically builds its budget as a budget for the entire Department, and we do make tradeoffs that sometimes cut across the Services' lines in order to do that. Last fall, what we went through was a period

where we formulated the strategy, the Strategic Guidance that we published, and that was used to guide the budget process. That was all done with regard to priorities to support the strategy. It was not about the Service portfolio specifically. At the end, we came to a decision about the best mix of systems to do that, and we tried to take into account the long-term issues that you alluded to which include the 30-year shipbuilding plan which we just sent over which does show that the *Ohio* replacement does add substantially to that account. We are going to have to find some other way besides the shipbuilding account to pay that bill.

We have put cost caps on both the SSBN–X, the *Ohio* replacement, and on the new bomber in order to try to control the costs and keep them within an affordable range. But there is going to be a challenge to us to do this, and it has to be done on a defense-wide DOD basis.

Senator REED. Part of your approach to this—and I know you have thought carefully about it—is not just in terms of capping systems but sort of the sequencing of when you build these systems. I thought General Kehler's testimony in response to Senator Blumenthal—the U.S. Strategic Command Commander—about the most survivable element in the triad is the submarine. General Kehler is an Air Force officer. I think that is a double endorsement.

Is that factor being considered too in terms of sequencing and funding in terms of what is the most survivable part that, if you extend, will give us more protections?

Mr. KENDALL. Yes. That factor is being taken into account.

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

Secretary Miller, you made it very clear that the policy of the President to prevent the Iranian Government from obtaining nuclear weapons—and that is a policy that I agree with and concur with. The President, as we are all aware, is pursuing some of the most aggressive diplomacy that we have ever seen with respect to the Iranian situation. I do not think a year or 2 ago I would have said that the Europeans are prepared at the end of June to eliminate their importation of Iranian oil. There is some perhaps traction here. But this is a very difficult issue.

There are those that are talking about an immediate or very close-on preemptive strike on the facilities. It seems to me that, as I look at their analysis, they are assuming a worst case on behalf of the Iranians, which is probably prudent to do in terms of their nuclear aspirations and what they would do with a nuclear device, but then a best case in terms of retaliation if such an attack was taking place. It just strikes me that that type of analysis is not the best. You have to assume, I think, a worst case for their aspirations and a worst case for their retaliation.

Do you want to comment on that approach and your thoughts?

Dr. MILLER. Senator Reed, this administration believes there is time for diplomacy to work, and as we have increased the pressure through sanctions and through other steps, we think that the incentives for the Iranians to come to the table and to take the steps needed to come into compliance—those incentives are increasing and the impact of sanctions is increasing. At the same time, as you indicated, all options are on the table at present and all options will remain on the table.

I guess I would add, Senator, that with respect to planning for scenarios, this is something—a potential conflict—I mentioned the Strait of Hormuz previously. DOD and the military is conducting planning across the full range of potential scenarios and will be as prepared as possible.

Senator REED. Thank you, Dr. Miller.

Thank you all for not only your willingness to serve but, in each and every case, your demonstrated service to the Nation already. We appreciate it very much.

Again, I will echo my classmate. I have been doing this for 40-plus years. Ultimately it is all about those young sergeants and boatswain's mates and crew chiefs that are out there protecting us.

With that, let me recognize Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Senator Reed.

Thank you all for your service already and your service-to-be and to your families as well.

Ms. Conaton, I am concerned about the adequacy of the criminal justice system in the military in dealing with sexual assault. I accept and commend your commitment to ending sexual assault and holding accountable anybody who commits it. I know that Secretary Panetta is as well. Yet, fewer than 21 percent of assault cases now go to trial and about 6 percent of the accused are discharged or allowed to resign in lieu of court martial. Only half of the cases prosecuted result in convictions. I wonder what is being done to improve that record.

Ms. CONATON. Senator, thank you and thanks for the leadership not only that you have demonstrated on this issue but the committee as well.

I completely agree with Secretary Panetta that not only is one sexual assault too many, but it is completely antithetical to who we are as a military and completely contrary to the values that the military espouses.

I think leadership remains critical on this issue. The fact that both Secretary Panetta and General Dempsey, as well as many in Congress, have taken up this issue I think is appropriately shining a spotlight on this, and we need to keep up that pressure.

There are definitely issues that go to how our commanders impose standards of behavior within their units and the training for those who would both investigate and prosecute. Secretary Panetta has a very near-term evaluation underway as to the adequacy of the training both at the commander level, at the investigator level, and for servicemembers at large. If confirmed, I would look very much forward to working with him and with the committee to see where we go next in terms of next steps.

Senator BLUMENTHAL. I know that he is about to propose or in the process of proposing some reforms and changes, and I would be very eager to work with you on improving the military justice system in dealing with these issues because I think a lot more and a lot better can be done.

Ms. CONATON. Thank you, Senator. It is my understanding that the Department is preparing a package of legislative proposals to come forward. As I am not yet in that position, I have not had an opportunity to review them but would look forward to working with you on that.

Senator BLUMENTHAL. I was very interested and thankful to see the part of your testimony dealing with medical research programs, particularly psychological health, traumatic brain injury, and post-traumatic stress. We have facilities in Connecticut, the Eastern Blind Rehabilitation Center, that deal with visual injuries. I wonder if you could comment further on what will be done assuming that you are confirmed.

Ms. CONATON. Yes, Senator. You highlighted the research aspect of this. As we know that these injuries of the conflict of the last 10 years are going to be with us for some time to come, I think maintaining the focus on medical research in the areas of traumatic brain injury and post-traumatic stress will be absolutely essential.

But I think everything that the Department does for our wounded warriors, we have to keep in mind the fact that it is from their service that they are dealing with these injuries. Again, these are things that will be with them and their families over an extended period of time. If confirmed, I imagine these issues and wounded warrior issues more generally would be something that I would spend a great deal of time on and something I am personally very committed to.

Senator BLUMENTHAL. Thank you.

Secretary Miller, the issue of human trafficking in contracting and contracts on our bases overseas, a security threat—maybe I should address this question as well to Secretary Kendall. I have introduced a bill. It has bipartisan support here and in the House to try to impose stronger criminal penalties on contractors who engage in this practice, stronger preventive measures, and providing better remedies. I hope that you will support such efforts to combat human trafficking not only because of the threat to the integrity of our contracts and the cost to taxpayers, but also because it is a security issue since many of those brought to these bases can pose a threat to our troops. I wonder if you could comment, either you or Secretary Kendall, on that issue.

Dr. MILLER. Senator, I will comment briefly.

I agree absolutely that it is unacceptable and it is something that we have to deal with. I have not had the opportunity to review your legislation. I will do so and work with my colleagues as they operate in acting capacity.

Senator BLUMENTHAL. Thank you.

Mr. KENDALL. Senator Blumenthal, it was not mentioned but my background includes work as a human rights activist, and I am very interested in this subject.

We are doing some things already. I would be very interested in things that would strengthen what we are doing as far as contracting is concerned. I would be happy to work with you on that.

Senator BLUMENTHAL. Thank you.

Let me conclude by saying that I share the concerns that have been raised about helicopters sold by the Russians to the Afghanistan forces. Perhaps you can tell me as simply and concisely as possible why we cannot substitute our own helicopters. In other testimony before this committee, the Russian helicopter was described in its sophistication as a flying refrigerator. I am just wondering

why the great American industrial base cannot provide a substitute for that product.

Mr. KENDALL. The problem is the immediacy of the need and the fact that we do not have a product that we can substitute immediately.

Senator BLUMENTHAL. A product that can be flown by the Afghans?

Mr. KENDALL. That has the same characteristics as the Mi-17.

Basically there are a lot of people in Afghanistan who have already had experience with the helicopter, which helps. That gives us a head start in terms of training and so on. It is suitable for the environment. It is relatively simple to operate. It is relatively simple to maintain. So with an Afghan force that we are trying to build, it seems to be the right platform. We do not have a ready substitute that we could use that is a U.S. product.

Senator BLUMENTHAL. I hesitate to repeat what you have already said, but is there an effort underway to develop such a substitute?

Dr. MILLER. Senator, yes, there is. A couple of years ago, a rotary wing support office was created. The challenge is that we do not have available a platform that could meet the needs in the very near term. I agree that this is a place that we should not find ourselves in the future, but this is where we are at least for the next year and perhaps for the next couple of years.

Senator BLUMENTHAL. Thank you.

One more question relating to the Joint Strike Fighter. Are you concerned that some of the supposed overrun is due to projections of inflation that seem to be at best somewhat speculative and therefore may not reflect accurately the real cost of the program?

Mr. KENDALL. Part of the increase that we are reporting today actually includes some inflation indices adjustments. There is a substantial piece of it that is that.

I think we tend to get a little too fixated on some of these numbers. I am trying to attack the costs. I am trying to look at the things that I can do something about and drive them down. The aircraft is at an affordable level now I think as far as production is concerned, but we can do better and we need to make it better so we can afford more of them.

The sustainment costs are too high. Dr. Carter testified about that a year ago, and we need to drive those down. I have set a target that I think is a cap on what we can do, and we have tried to drive to at least that, which is lower than the current estimate. Then we are going to try to drive it even lower. That will be the subject of an awful lot of activity over the next coming year.

Senator BLUMENTHAL. Thank you very much. Again, thank you all for your service and good luck. Thank you.

Senator REED. Thank you, Senator Blumenthal.

Thank you, ladies and gentlemen, for your testimony and your service.

With that, the hearing is adjourned.

[Whereupon, at 11:53 a.m., the committee adjourned.]

[Prepared questions submitted to Hon. Frank Kendall III by Chairman Levin prior to the hearing with answers supplied follow:]

## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I do not see the need for modifications to Goldwater-Nichols Act provisions at this time. I believe the current allocation of responsibility for acquisition-related matters in title 10, U.S.C., appropriately assigns responsibility to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), and that the law also appropriately identifies the acquisition-related functions of the Military Department Secretaries. I will continue to consider this issue and will make proposals for modifications if and when required.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. N/A.

### DUTIES

*Question.* Section 133 of title 10, U.S.C., describes the duties and responsibilities of the USD(AT&L).

Assuming you are confirmed, what additional duties do you expect that the Secretary of Defense will prescribe for you?

Answer. If confirmed, I expect the Secretary to assign duties and functions commensurate with the USD(AT&L)'s function and expertise as he deems appropriate.

*Question.* Do you recommend any changes to the provisions of section 133 of title 10, U.S.C., with respect to the duties of the USD(AT&L)?

Answer. No.

*Question.* Do you believe that the Department of Defense (DOD) has effectively implemented a streamlined chain of command for acquisition programs, as envisioned by the Packard Commission?

Answer. I believe that the Department has implemented a strong acquisition chain of command, built upon an effective management structure that meets the current acquisition requirements and outcomes. I am concerned, however, that some program managers have been given responsibility for too many programs. If confirmed, I will continue to examine this structure and oversight to ensure continued success in leadership.

*Question.* Do you see the need for modifications in that chain of command, or in the duties and authorities of any of the officials in that chain of command?

Answer. No, not at this time. I believe the statutory reporting chain providing USD(AT&L) directive authority concerning Military Department acquisition programs via the Military Department Secretaries is a crucial authority that must be maintained. If confirmed, I will evaluate the current chain of command and will recommend adjustments should any be needed to ensure continued success.

### QUALIFICATIONS

*Question.* If confirmed, you will be responsible for managing an acquisition system pursuant to which DOD spends roughly $400 billion each year. Section 133 of title 10, U.S.C., provides for the Under Secretary to be appointed from among persons who have an extensive management background in the public or private sector.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have over 40 years experience in the areas of national security, defense, and acquisition. My education includes degrees in engineering, business and law. I served on active duty in the Army for over 10 years including in operational units and research and development (R&D) commands. As a civil servant, I worked as a systems engineer and systems analyst. I spent over 8 years in the Pentagon on the Under Secretary for Acquisition's staff first as Assistant Deputy Under Secretary for Strategic Systems (Defense Systems) and then as Director, Tactical Warfare Programs. Outside of government I have been the Vice President of Engineering for Raytheon Company and a consultant on national security and acquisition related matters, principally program management, technology assessment, and strategic

planning, for a variety of defense companies, think tanks, and government laboratories or R&D organizations. I re-entered the government in March 2010 after confirmation by the Senate to be the Principal Deputy Under Secretary of Defense for Acquisition, Technology and Logistics. Since October 2011, I have served as the acting Under Secretary of Defense for Acquisition, Technology, and Logistics.

*Question.* What background or experience, if any, do you have in the acquisition of major weapon systems?

Answer. During the past 2 years, I have served the Defense Department in the Office of the USD(AT&L). For a year and a half as the Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics), and from October 2011 to the present as the acting Under Secretary of Defense for Acquisition, Technology, and Logistics. In both positions, I played a central role overseeing and directing major weapons systems on behalf of the Department. In my previous Pentagon positions, I served in the Under Secretary of Defense for Acquisition's office from 1986 to 1994. During this period I had oversight responsibility, first for all strategic defense programs, and then for all tactical warfare programs. During my period as Director of Tactical Warfare Programs from 1989 to 1994, I chaired the Conventional Systems Committee, now called the Overarching Integrated Product Team, which was responsible for preparing for Defense Acquisition Board (DAB) decisions for the Under Secretary for Acquisition. In this capacity, I was responsible to the Under Secretary for approximately 100 DAB reviews covering systems from all three Military Departments that spanned the spectrum of major weapon systems. After I left government service in 1994, I was involved with a number of major weapons systems programs in my capacity as Vice President of Engineering at Raytheon. As an independent consultant, I spent several years providing technical management and program management consulting to the Lead System Integrator for the Future Combat Systems program. During the period 1997 to 2008, I was also involved in reviews of a number of major acquisition programs, either as an independent consultant or as a member of a government advisory board.

RELATIONSHIPS

*Question.* In carrying out your duties, what would be your relationship with:

The Secretary of Defense.

Answer. If confirmed, I will be the principal staff advisor to the Secretary of Defense on matters concerning acquisition, including on the procurement of goods and services, R&D, developmental testing, and contract administration. I will also be the principal staff advisor to the Secretary on matters concerning logistics, maintenance and sustainment support, installations and environment, operational energy, chemical, biological, and nuclear weapons, and the defense industrial base.

*Question.* The Deputy Secretary of Defense.

Answer. If confirmed, I will be the principal staff advisor to the Deputy Secretary in the same manner as to the Secretary.

*Question.* The other Under Secretaries of Defense.

Answer. There are many actions that require coordination among the Under Secretaries of Defense. If confirmed, I will work with the other Under Secretaries to serve the priorities of the Secretary of Defense.

*Question.* The DOD General Counsel.

Answer. If confirmed, I will work with the General Counsel's office to ensure all actions are legal, ethical, and within regulatory guidelines.

*Question.* The Director of Operational Test and Evaluation.

Answer. If confirmed, I will work with the Director of Operational Test and Evaluation to ensure the Department has appropriate operational test and evaluation of defense acquisition programs.

*Question.* The Director of Cost Assessment and Program Evaluation.

Answer. If confirmed, I will work with the Director of Cost Assessment and Program Evaluation to ensure that the Department has independent cost analysis for defense acquisition programs and appropriate resource assessments for other programs within my responsibilities.

*Question.* The Assistant Secretary of Defense for Research and Engineering.

Answer. If confirmed, I will direct the work of the Assistant Secretary of Defense for Research and Engineering to maintain the technological edge of the Armed Forces, ensure the Department has continued ability to acquire innovative capabilities, and to reduce the cost and risk of our major defense acquisition programs.

*Question.* The Deputy Assistant Secretary of Defense for Developmental Testing.

Answer. If confirmed, I will direct the work of the Deputy Assistant Secretary of Defense for Developmental Testing to ensure there is strong involvement early in program formulation, that comprehensive, independent developmental testing as-

sessments of program maturity and performance are available to inform acquisition decisions, and that the developmental test community within the acquisition workforce is appropriately staffed and qualified.

*Question.* The Deputy Assistant Secretary of Defense for System Engineering.

Answer. If confirmed, I will direct the work of the Deputy Assistant Secretary of Defense for System Engineering to ensure the application of sound systems engineering principles to major defense acquisition programs and to ensure that the systems engineering community within the acquisition workforce is appropriately staffed and qualified.

*Question.* The Director of Program Assessment and Root Cause Analysis.

Answer. If confirmed, I will direct the work of the Director of Program Assessment and Root Cause Analysis to ensure that the performance of the defense acquisition system is carefully evaluated and to ensure that all relevant lessons learned are captured from programs which experience unacceptable cost growth and that performance measurement for DOD programs and institutions is effectively implemented.

*Question.* The Acquisition Executives in the Military Departments.

Answer. If confirmed, I will make communication and coordination with the Service Acquisition Executives a top priority. I will work with the Acquisition Executives to ensure effective oversight, through the Secretaries of the Military Departments, of acquisition programs in their areas, support transparency in sharing information about program status, take appropriate remedial actions to rectify problems, actively engage in departmental processes to improve acquisition outcomes, and support the policies and practices of the Department. I will also expect them to champion best practices and share ideas and concerns with me, with each other and with appropriate stakeholders.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I will support the Vice Chairman in his role with respect to the Joint Requirements Oversight Council (JROC), and would support and encourage his active role as a member of the DAB. I will also seek to ensure the requirements and acquisition processes work effectively together in terms of stabilizing requirements, and ensuring requirements established for acquisition programs are achievable within appropriate cost, schedule, and technical risk.

MAJOR CHALLENGES AND PROBLEMS

*Question.* In your view, what are the major challenges that will confront the USD(AT&L)?

Answer. My principle challenge will be to support the Department's recently announced Military Strategy Guidance within the available resources. My priorities as the acting USD(AT&L), and the priorities I would emphasize if confirmed, are tightly aligned with that challenge and with the principles the Secretary of Defense has expressed—maintain the best military in the world, avoid a hollow force, take a balanced approach to achieving efficiencies, and keep faith with our men and women in uniform.

My priorities and the major challenges I expect to face if confirmed as USD(AT&L) are: (1) providing effective support to current operations; (2) achieving affordable acquisition programs; (3) improving the efficiency and effectiveness of the Department's acquisition of both products and services; (4) strengthening the industrial base during a period of lower than expected budgets; (5) strengthening the acquisition workforce in order to achieve better acquisition outcomes; and (6) ensuring that despite limited resources the Department protecting the capabilities the Department will need in the future to equip and sustain the force and conduct operations.

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

Answer. The following is a very brief summary of some of the plans that I have to address the challenges I see:

To support the warfighter, if confirmed, I will continue to prioritize and institutionalize rapid acquisition to meet urgent needs, timely and reliable logistics support, effective contingency contracting, and more efficient operational energy solutions.

To achieve affordable programs, if confirmed, I will continue to work with the requirements and resource communities and the acquisition community to ensure the programs the Department starts have firm cost goals in place for both production and sustainment, that appropriate priorities are set, and that the necessary tradeoffs are made to keep defense programs within affordable limits.

To improve efficiency, if confirmed, I will continue to refine and evolve the Better Buying Power initiative. I will continue the continuous improvement management approach that Dr. Carter and I initiated to control and reduce costs while acquiring products and services that provide the highest possible value to the warfighters.

To strengthen the industrial base, if confirmed, I will continue to focus on executing contracts with industry that include appropriate incentives to higher productivity and drive fair business deals to protect the taxpayers' interest, while providing industry with reasonable profit opportunities and without putting industry at unacceptable risk. I will also continue to ensure critical skills and capabilities in the industrial base are identified, and intervene where necessary to see that needed capabilities are preserved. If confirmed, I will keep strong two way lines of communication to industry open at all levels so that industry and government truly understand each other's perspectives and concerns.

To strengthen the acquisition workforce, if confirmed, I will continue to work to increase the capability of the workforce. As budget reality reduces the capacity to increase the size of the workforce, I will turn greater attention to the capability within the workforce, particularly the development of key acquisition leaders in program management, engineering, contracting, and product support. This includes increased skills and leadership training. It also means setting high standards, recognizing good performance, and holding people accountable for poor performance.

To protect the future, if confirmed, I will continue to advocate for sound investments in the next generation of technologies to maintain U.S. military superiority. This means protecting essential capabilities in the industrial base, such as design teams that would take a generation or more to replace. It means retaining a contingency contracting capability that can be expanded when needed for future operations. It means developing and nurturing small businesses, maintaining our installations, and ensuring the safety and security of our nuclear deterrent. Most of all, it means maintaining the very best military in the world, not just today, but for the long term.

ACQUISITION ORGANIZATION

*Question.* Do you believe that the office of the USD(AT&L) is appropriately structured to execute its management and oversight responsibilities?

Answer. Yes. I have made a number of minor adjustments in the AT&L structure since I joined the organization in March 2010. As I evaluate the impact of these changes other adjustments are possible, but overall I believe the structure is appropriate.

*Question.* Do you see the need for any changes in the relationship between the USD(AT&L) and senior acquisition officials in the Military Departments?

Answer. No.

*Question.* Do you see the need for any additional processes or mechanisms to ensure coordination between the budget, acquisition, and requirements systems of the DOD and ensure that appropriate trade-offs are made between cost, schedule, and performance requirements early in the acquisition process?

Answer. I believe the correct mechanisms are in place at the DAB and the JROC, and in the process for performing analyses of alternatives, to ensure that appropriate trade-offs are made between cost, schedule, and performance requirements on major defense acquisition programs. Dr. Carter and I initiated the use of affordability production and sustainment cost requirements or caps early in program life cycles and, if confirmed, I will continue the use of this management tool to force trade-offs early in the system design process. If confirmed, I will also continue to examine whether there is a need for additional processes or mechanisms for ensuring appropriate trade-offs before program requirements are finalized.

*Question.* What do you believe should be the appropriate role of the Service Chiefs in the requirements, acquisition, and resource-allocation process?

Answer. The acquisition process does not exist in isolation and the Service Chiefs play a major role as a result of their deep involvement in the budget and requirements processes, and because they are responsible for the health of the acquisition workforce of their respective Military Departments, particularly the officer corps. The acquisition process functions properly only when the Service's uniformed leadership is actively involved and takes responsibility for the success of the acquisition system. I believe the chain of professional acquisition authority—normally the program manager, program executive officer, component acquisition executive and/or milestone decision authority—is appropriate for acquisition decisions, but that these people cannot be successful without the involvement and active support of Service senior uniformed leadership.

*Question.* What do you see as the potential advantages and disadvantages to giving the Service Chiefs authority and responsibility for the management and execution of acquisition programs?

Answer. The Service Chiefs are usually not acquisition professionals, and in general, I believe that the management and execution of acquisition programs should be done by people who have the professional experience and qualifications to direct large scale complex programs. I also believe that the Service Chiefs already have significant responsibility for the success of acquisition programs, and that there is much they can and should do within their current authority to improve acquisition outcomes. The steps the Service Chiefs can take include: (1) making sure their personnel systems are doing everything they can to create a more capable and professional acquisition workforce (particularly key leaders including program managers, chief engineers, contracting officers, and product support managers); (2) recognizing the importance and unique skills of those key leaders and making it career enhancing to go into the acquisition field; (3) ensuring that realistic requirements are set and that there is a cooperative relationship between the acquisition community and the requirements community in which requirements trade-offs and informed decisions can be made efficiently; (4) creating a command environment where acquisition professionals are listened to and encouraged to bring realistic assessments forward to senior requirements and budget decision makers and where sound business practices that will save money and provide more value are supported; and (5) including the acquisition professionals in the cultural mainstream of their Service.

*Question.* What do you believe should be the appropriate role of the combatant commanders in the requirements, acquisition, and resource-allocation processes?

Answer. Combatant commanders advise on capability needs, priorities and allocation of resources consistent with those needs. I am particularly sensitive to the need for the acquisition system to address urgent needs of the combatant commanders in support of wartime operations and changing threats. In those exceptional cases where a combatant commander holds special acquisition authorities such as the Commander, U.S. Special Operations Command, AT&L has responsibilities to foster their success through mentorship and positive process oversight. If confirmed, I will continue to respect and encourage their advice and solicit their input on meeting their needs effectively.

*Question.* Do you see the need for any changes in the structure or operations of the JROC?

Answer. I support the Vice Chairman of the Joint Chiefs' initiatives to emphasize cost-informed decisions in the military needs validation process and to streamline the JROC process. The current construct encourages direct and open discussion between senior military needs officials and acquisition leaders. Our staffs work continuously to evolve these processes to provide capability more effectively. The VCJCS and I have been working closely to streamline and coordinate requirements and acquisition, and if I am confirmed, I will continue this practice. I have been regularly attending JROC meetings to provide the acquisition perspective and if confirmed I will continue this practice.

*Question.* What improvements, if any, do you believe are needed in the lines of authority and accountability for the procurement of major weapon systems?

Answer. I believe in clear lines of authority and accountability for the procurement of major weapon systems. They go from the Defense Acquisition Executive through the Secretaries of the Military Departments to the Service Acquisition Executives and the Program Executive Officers and Program Managers. I see no need for changes to that structure. If confirmed, I will continuously review this to see if changes might be needed.

*Question.* What steps if any will you take, if confirmed, to empower program managers to execute major defense acquisition programs and hold them accountable for how well their programs perform?

Answer. Section 853 of the John Warner National Defense Authorization Act (NDAA) for Fiscal Year 2007 required the Department to develop a strategy to enhance the role of DOD program managers in developing and carrying out defense acquisition programs. The Department developed the strategy and has implemented many of the initiatives identified in its report to Congress to include more focused education and training, program manager forums, and institutionalized assist teams. Tenure agreements, program manager agreements, and configuration steering boards increase leadership stability while enhancing management accountability. The foundation of accountability is competency and experience. I am currently reviewing the Department's approach to developing and empowering program managers as well as the approach to holding them accountable for their performance. I regard leaving stronger, more effective acquisition leaders as the single most

important legacy I could leave the Department and if confirmed that will continue to be one of my highest priorities.

MAJOR WEAPON SYSTEM ACQUISITION

*Question.* Do you believe that the current investment budget for major systems is affordable given decreasing defense budgets, the historic cost growth trends for major systems, and the continuing costs of ongoing contingency operations?

Answer. I believe the current investment budget for major systems is affordable if properly managed, but that it will be a challenge to achieve this. The President's fiscal year 2013 Defense Budget provides a balanced approach to reducing force structure and procurement over the Future Years Defense Program. Cost growth in acquisition programs will have to be controlled if the Department is to execute this budget successfully. Secretary Gates and Dr. Carter foresaw the need for greater efficiency and effective execution and started the Better Buying Power initiative in 2010 to ensure that the performance of the defense acquisition system was everything that the warfighter and taxpayers have a right to expect. If the Department continues to experience over the next 10 years the same levels of cost growth and failed programs that occurred in the decade preceding this initiative, it will be extremely challenging to meet our minimum needs for recapitalization and modernization.

*Question.* If confirmed, how do you plan to address this issue?

Answer. If confirmed, I will continue to make cost control an over-riding priority. As the USD(AT&L), I would continue to advise the Secretary on a sustainable and affordable investment strategy for the Department. As the acting Under Secretary, I have included formal affordability requirements as a critical element of the defense acquisition system. If confirmed, I will continue to work to control potential cost growth for existing programs and to work to improve the Department's requirements, acquisition, and budgeting processes to ensure investment decisions are informed by sound affordability constraints.

*Question.* What would be the impact of a decision by the Department to reduce purchases of major systems because of affordability issues?

Answer. Over the long term, the Department must balance force structure with operating costs, capital investments, and modernization. I believe that ultimately reductions in our recapitalization and modernization rates could jeopardize our ability to keep up with pacing threats, reduce production efficiency, increase sustainment costs for the existing force structure, and affect the health of the industrial base. In the short term, some reductions are manageable and affordability constraints cannot be ignored.

*Question.* Nearly half of DOD's major defense acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, U.S.C., to identify seriously troubled programs. Section 206 of the Weapon Systems Acquisition Reform Act of 2009 (WSARA) tightened the standards for addressing such programs.

What steps if any would you take, if confirmed, to address the out-of-control cost growth on DOD's major defense acquisition programs?

Answer. I believe the Department must continue to take steps such as those included in the Better Buying Power initiatives that Dr. Carter and I started. These initiatives are part of a process of continuous improvement in the acquisition system aimed at controlling costs in all acquisition activities, including major programs. First of all the Department's planning must be realistic and fully resourced. This means setting requirements that are affordable and achievable within the time and resources available. Affordability caps for both production and sustainment are now being applied early in program life cycles and their use must continue so that sound requirements trades are made as early as possible. In order to ensure more effective program execution, primarily by industry, acquisition strategies that emphasize sustaining a competitive environment and providing strong incentives to cost control must be implemented consistently. Continuous efforts to identify sources of cost reduction through "should cost" management should be used during all program phases. If confirmed, I will continue to implement these measures and work to identify additional steps that can be taken to control cost growth.

*Question.* What steps if any do you believe that the Department should consider taking in the case of major defense acquisition programs that exceed the critical cost growth thresholds established in the "Nunn-McCurdy" provision?

Answer. I believe DOD has full authority to take appropriate measures, including major restructuring or termination of poor performing programs. While terminations have rarely occurred in the past, one of my first acts as acting Under Secretary was to terminate the Joint Tactical Radio System Ground Mobile Radio program after

a Nunn-McCurdy breach. I believe that the current budget environment will make it more likely that program terminations will occur after critical Nunn-McCurdy level cost breaches due to our overall affordability constraints. Also the Department will be more aggressive in taking action before Nunn-McCurdy thresholds are reached. As Principal Deputy USD(AT&L), I also instituted a practice of conducting Nunn-McCurdy-like reviews as soon as cost growth became apparent even if breaches had not occurred yet so that this mechanism is applied proactively instead of reactively. If confirmed, I will continue this practice.

*Question.* Do you believe that the office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, as currently structured, has the organization and resources necessary to effectively oversee the management of these major defense acquisition programs? If not, how would you address this problem?

Answer. Yes.

*Question.* Do you see the need for any changes to the Nunn-McCurdy provision, as revised by section 206?

Answer. No.

*Question.* What principles will guide your thinking on whether to recommend terminating a program that has experienced critical cost growth under Nunn-McCurdy?

Answer. If confirmed, the five certification elements listed in the law will continue to guide me.

OPERATING AND SUPPORT COSTS

*Question.* The Department estimates that operating and support (O&S) costs account for up to 70 percent of the acquisition costs of major weapon systems. Section 832 of the NDAA for Fiscal Year 2012 requires the Department to take a series of steps to improve its processes for estimating, managing, and reducing such costs.

What is the current status of the Department's efforts to implement the requirements of section 832?

Answer. Several organizations within the Department, to include AT&L and the Cost Assessment and Program Evaluation Office (CAPE), are currently addressing implementation of the requirements outlined in Section 832. The section 832 requirements will be implemented in a major revision of the Department of Defense Instruction (DODI) 5000.02, which includes an extensive restructure of the document, as well as "Fact of Life Changes" and the incorporation of other NDAA directed requirements, including those of sections 805, 815, and 837.

*Question.* What steps remain to be taken to implement section 832, and what is the Department's schedule for taking these steps?

Answer. The planned completion date for these efforts is December 2012. If confirmed, I will supplement the update to DODI 5000.02 with guidance, training, mentorship and oversight. If confirmed, I would expect to gain insight into the effectiveness of these efforts through Defense Acquisition Executive Reviews and incorporate the lessons learned into future policy refinements.

*Question.* What steps, if any, are needed to ensure that the requirements and acquisition communities fully and effectively collaborate to understand and control the O&S costs prior to and early in product development, when it is possible to have the most significant impact on those costs?

Answer. The Department recognizes that alignment and partnership among the operational requirements, development, and sustainment communities are essential to optimizing warfighter operating and support strategies at a minimal cost. Identifying, maintaining and understanding program impacts to O&S costs are critical during a program's early requirements definition, and technology development phases, and remains a priority during the Weapon System's entire life cycle.

I recently elevated the importance of Life Cycle Product Support by making the Life Cycle Sustainment Plan (LCSP) a stand-alone program management tool required for all programs prior to entering the Engineering & Manufacturing Development (EMD) Phase. The LCSP will capture the requirements for product support that include both Readiness and O&S cost objectives.

Additionally, I am addressing the role/influence of reliability, availability, and maintainability (RAM) engineering during acquisition reviews. During the quarterly Defense Acquisition Executive Summary (DAES) assessments, I focus on reliability and availability as well as actual O&S cost performance against pre-determined objectives. These assessments act as a trigger for further in-depth reviews of programs between major milestones and during Post-IOC reviews.

Operational energy costs are also an important target for O&S cost reduction. The Department recently published an operational energy strategy and implementation plan. If confirmed, I will work to ensure that this plan is successfully executed.

If confirmed, I will continue to explore and implement these and other management tools to reduce support costs.

*Question.* What additional steps, if any, do you believe the Department needs to take to bring O&S costs under control?

Answer. I believe the Department should continue execution of the steps Dr. Carter and I put in place under the Better Buying Power initiatives and should seek other ways of controlling O&S costs. Specifically, if confirmed, I will continue and enforce the implementation of sustainment affordability constraints as programs conduct technology demonstration and enter engineering and manufacturing development. Sustainment cost constraints are intended to force programs to analyze sustainment costs and take steps to control them during product development, but these constraints must be enforced. If confirmed, I will ensure that this occurs.

Under Better Buying Power, the Department also initiated a "Should Cost" management process that requires our managers to drive costs, including sustainment costs, down. Program Managers must develop clear cost objectives that are lower than the Independent Cost Estimate (ICE), or "Will Cost," derived from historical data. These "Should Cost" targets are not arbitrary numbers. Rather, each target must be grounded in some form of a tangible, best practice and/or innovative business approach designed to improve upon historical performance.

The Department also needs to continue the effort to align the incentives of the Government and its sustainment contractors to produce better results. If confirmed, I will continue to encourage use of Performance-Based Sustainment strategies to drive O&S costs down by providing competitive and financial incentives to both industry and Government. The data from the Department's use of performance-based sustainment demonstrates that properly structured and executed performance-based sustainment strategies produce better performance results at less cost than traditional, transactional sustainment approaches. Performance-based strategies can be applied to activities performed by both public and private sustainment providers.

If confirmed, I will continue to explore and implement other management tools to reduce O&S costs.

SYSTEMS ENGINEERING

*Question.* One of the premises for WSARA was that the best way to improve acquisition outcomes is to place acquisition programs on a sounder footing from the outset by addressing program shortcomings in the early phases of the acquisition process. The Defense Science Board Task Force on Developmental Test and Evaluation reported in May 2008 that "the single most important step necessary" to address high rates of failure on defense acquisition programs is "to ensure programs are formulated to execute a viable systems engineering strategy from the beginning."

Do you believe that DOD has the systems engineering and developmental testing organizations, resources, and capabilities needed to ensure that there is a sound basis for key requirements, acquisition, and budget decisions on major defense acquisition programs?

Answer. Since the passage of WSARA, the Department has worked to build the systems engineering expertise required for effective acquisition. While much progress has been made, the Department still has work to do in building its capacity for professional systems engineering. The Department has increased the numbers of system engineers, but the work force has a demographics issue with a senior workforce nearing retirement and a number of relatively inexperienced junior people who will need more experience to become proficient. If confirmed, I will continue to identify and implement creative measures to address this problem.

*Question.* What is your assessment of the implementation to date of section 102 of WSARA, regarding systems engineering?

Answer. I believe the Department has faithfully implemented section 102 by establishing the Deputy Assistant Secretary of Defense for Developmental Test and the Deputy Assistant Secretary of Defense for Systems Engineering offices, by staffing these offices with highly qualified teams, and by providing guidance and oversight to the systems engineering capabilities in the Military Services.

*Question.* What additional steps will you take, if confirmed, to implement this provision?

Answer. If confirmed, I will work with the Service Acquisition Executives to ensure the effective implementation of recently approved systems engineering policy and guidance and the adequacy of the competency, capacity, and authority of the systems engineering workforce as critical components in support of successful acquisition system performance.

*Question.* Do you believe that the Nation as a whole is producing enough systems engineers and designers and giving them sufficient experience working on engineering and design projects to ensure that DOD can access an experienced and technically trained systems engineering and design workforce? If not, what do you recommend should be done to address the shortfall?

Answer. I am not satisfied that the Nation is currently producing enough systems engineers and engineers in other disciplines to meet the Department's complex engineering challenges. The Department has ongoing efforts to promote engineering education in kindergarten through 12th grade and college curricula, and, if confirmed, I will continue to support those efforts to promote engineering as an important field of study with our national educational system. I will also promote engineering excellence within the acquisition work force as a core value.

*Question.* Last year, the chairman and ranking member of the Armed Services Committee expressed concern that the annual report to Congress by the Assistant Secretary of Defense for Systems Engineering (SE) and the Assistant Secretary of Defense for Developmental Testing failed to meet applicable statutory requirements.

What steps will you take, if confirmed, to ensure that future reports on developmental testing and systems engineering fully comply with applicable statutory requirements?

Answer. In response to the expressed concerns of the chairman and ranking member of the Armed Services Committee, the Department has increased the detail and extent of our reporting in the fiscal year 2011 DT&E and SE Annual Report to Congress. If confirmed, this will continue to be a matter of priority for me.

TECHNOLOGICAL MATURITY

*Question.* Section 2366b of title 10, U.S.C., requires the Milestone Decision Authority for a major defense acquisition program to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

What steps if any will you take, if confirmed, to make sure that DOD complies with the requirements of section 2366b?

Answer. If confirmed, as chair of the DAB and Milestone Decision Authority (MDA) for major defense acquisition programs, I will continue to use technology readiness assessments (TRAs) to ensure compliance with section 2366b. I am concerned however, that reliance on formal technology readiness levels (TRLs) has become a substitute for a deeper understanding of the state of risk prior to entering development. I commissioned a study of recent decisions to enter engineering and manufacturing development (EMD), which concluded that TRLs in many cases were not being used effectively to assess the risk of entering EMD. The TRL labels used in TRAs are a useful benchmark, but they alone are not enough.

*Question.* What steps if any will you take to ensure that the Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) is adequately staffed and resourced to support decisionmakers in complying with the requirements of section 2366b?

Answer. If confirmed, I would continue to work with ASD(R&E) and other members of the OSD and Military Department staffs to ensure the adequacy of resources available to meet the challenges of complying with the requirements of section 2366b.

*Question.* Are you satisfied that TRAs adequately address systems integration and engineering issues, which are the cause of many cost overruns and schedule delays in acquisition programs?

Answer. I am not satisfied that TRAs are, by themselves, adequate for addressing systems integration and engineering risks. They are necessary but not fully sufficient to determine technical risk. A recent Department case study on technology development and prototyping found very little correlation between TRAs and program success in development. TRAs are, however, necessary for identifying and maturing the Critical Technology Elements enabling the key performance characteristics of advanced systems. They form an essential part of program managers' risk management strategies, planning, and execution. In May 2011, I directed the Department to revise its approach for conducting and independently verifying TRAs for Program Inception (Milestone B) in order to make program managers more responsible and accountable for understanding and managing program risks. It is too early to tell how effective these changes have been. If confirmed, I will continue to make improving risk management of technology, engineering, and integration risks a high priority.

*Question.* Beyond addressing technological maturity issues in acquisition programs, what other steps should the Department take to increase accountability and discipline in the acquisition process?

Answer. There are a great number of factors that contribute to the failure of programs to meet their cost, schedule, and performance objectives and many are associated with discipline and accountability. By instituting and enforcing affordability constraints on programs, I have begun to discipline the acquisition system to constrain requirements to affordable levels. Industry should also be held accountable for its performance, and I believe this is best accomplished through the incentives integrated into our contracts and through the actions taken when programs are not performing acceptably. Government institutional performance matters also, and I am beginning to implement new institutional performance measurement required by section 2548 of title 10, U.S.C. When this system is in place, it will allow the Department to compare institutional performance and identify best practices. If confirmed, I will aggressively continue this initiative. There are also perverse incentives in our budget execution system that encourages the workforce to obligate money, whether it makes sense to do so or not. The Department should not provide incentives that prioritize putting funds on contract over negotiating a contract that is in the Department and the American taxpayer's best interest. If confirmed, I will continue the effort to instill a culture of cost consciousness and stewardship of the taxpayer's dollars throughout the defense acquisition system. My emphasis is on taking steps to improve the quality and professionalism of the acquisition workforce that plans and manages the execution of the Department's programs. Program managers and other leaders who do not perform to standards have been removed from their positions, but I expect this to be infrequent. The Department (particularly the Military Departments) has the duty to ensure that the people entrusted with the responsibility for managing major programs have the qualifications and the professional development they need to assume this responsibility. If confirmed, I will continue to work to ensure that this is the case.

REQUIREMENTS PROCESS

*Question.* What is your assessment of recent revisions made by the Vice Chairman of the Joint Chiefs of Staff to the Joint Capabilities and Integration Development System (JCIDS)?

Answer. I believe these revisions will allow JCIDS execution to align more closely with the Department's new strategic guidance and to take account of cost and technological maturity factors. Additionally, I understand that the process makes permanent several important initiatives that enable more rapidly delivered and affordable capabilities to the warfighter. The updated policy addresses combatant commanders' Joint Urgent Operational Needs (JUONs) and Joint Emergent Operational Needs (JEONs), improving the Department's agility and efficiency in meeting the most urgent warfighter needs in current and future contingency operations. JROC review of analysis of alternatives results prior to Milestone A, and of Capabilities Development Documents (CDDs) prior to Milestone B, facilitate contracting activities before Technology Development and Engineering and Manufacturing Development acquisition phases. Lastly, new JCIDS limitations on length of Initial, Development, and Production Capability Documents reduce the often redundant administrative burden on program managers that has lengthened process timelines of systems acquisition and focuses the JROC on the most important requirements for a program.

*Question.* In your view, has the JROC been effectively drawing and using input from the systems engineering, cost analysis and program planning, and budgeting communities as warranted, in its deliberations regarding requirements associated with major systems acquisitions?

Answer. The updates to the JCIDS and JROC Charter place increased emphasis on how the JROC executes its responsibilities to consider cost, schedule, and performance of programs and identified alternatives. The AT&L staff has been working to help lay the groundwork for active collaboration among Joint Staff, Military Departments, combatant commanders (COCOMs), Cost Analysis and Program Evaluation (CAPE), and AT&L in analysis of how requirements alternatives drive cost, schedule, and performance. Some of these process changes are newly implemented, but I believe they provide a framework for success if effectively executed. I have also increased my personal participation in the JROC process in order to ensure that these considerations are taken into account during the deliberations over requirements. I believe this is having a significant impact. If confirmed, I will continue this practice.

CONCURRENCY

*Question.* Some of the Department's largest and most troubled acquisition programs appear to have suffered significantly from excessive concurrency—the effort to produce a weapon system, even as it is still being designed.

What impact do you believe that such excessive concurrency has on our efforts to produce major weapon systems on schedule and on budget?

Answer. Excessive concurrency can drive cost growth and result in major schedule disruptions that produce further inefficiency. The acceptable degree of concurrency between development and production depends on a range of factors including the risk associated with the development phase, the urgency of the need, and the likely impact on cost and schedule of realizing that risk. A careful balance must be struck on every program, taking all these factors and others into account. If confirmed I will continue to work to ensure that balance is carefully assessed and properly managed.

*Question.* What steps will you take, if confirmed, to address this issue?

Answer. If confirmed, I intend to ensure that the risk/benefit of any given degree of concurrent production and development is carefully assessed before program plans are approved and before production decisions are made. I will ensure that major weapons systems program plans have clearly articulated and justified framing assumptions underlying concurrency risks and track progress against these assumptions. I will continue to require programs to reassess levels of planned concurrent production as necessary if these underlying assumptions change.

*Question.* Under what circumstances, if any, do you believe that it is useful and appropriate to require prime contractors on major defense acquisition programs share in concurrency costs?

Answer. In most circumstances, the Government will bear the bulk of concurrency risk. When the Government initiates production before development is complete, the Government can use cost plus contracts that cover concurrency risk or a fixed-price vehicle that excludes concurrency costs from the contracted deliverable. The first four lots of JSF, an example of an unusually highly concurrent program, used these approaches so that the government bore almost all concurrency costs. In general, I believe that industry should not be asked to bear excessive risk. At some point, however, the concurrency risk in a program should be reduced to the extent that industry can reasonably bear a portion or all of that risk, as is the case with JSF Lot 5. If industry is then unwilling to accept this risk as a reasonable part of doing business, then the risk may be too excessive to contract for continued production. In a well-structured program this situation should not occur.

*Question.* In your view, would a requirement for such cost sharing reduce the likelihood of excessive concurrency in the development and production of major weapon systems?

Answer. The Government usually controls the structure of the program and determines when to start production. If the concurrency risk is excessive, then the Government should usually wait until it is reduced before starting production. If the urgency of acquiring the product dictates accepting high concurrency risk, then in general the Government should bear it. Cost sharing arrangements do not change the existence of the risk, however if industry is unwilling to accept some concurrency risk as a condition of a production contract, this would be an indication that the risk may still be high.

JOINT STRIKE FIGHTER

*Question.* You were recently quoted as saying that it was "acquisition malpractice" to place the Joint Strike Fighter into production years before the first flight test.

Does this quote accurately reflect your views?

Answer. Yes. The context of this remark was specifically in reference to the decision made to enter into production of the Joint Strike Fighter prior to the initiation of flight test. This decision was a clear departure from well-established principles of sound program management. It is important to note that this judgment does not extend to the JSF program as a whole. The Department remains committed to the JSF program and I believe the program, if appropriately managed, will allow the Department to acquire a critical capability at an acceptable cost. My comment was also not an indictment of any individual, but of the systemic problem of allowing optimism and the presence of funding in the budget to over-rule sound program management practices.

*Question.* What steps if any do you believe that we can take now to address any problems or deficiencies that may have developed as a result of excessive concurrency on the Joint Strike Fighter program?

Answer. I believe that the Department has taken appropriate steps to address concurrency risk on the F–35 program by maintaining production at a fixed rate for the next 2 years as the design stabilizes and is validated by flight testing. The most recently awarded production contract is structured to ensure Lockheed Martin shares the cost of concurrency risk and incentivizes Lockheed Martin to quickly identify and implement solutions to deficiencies identified during testing. If confirmed, I will continue to evaluate concurrency risk to ensure that there is a prudent balance between concurrency risk and efficient production.

*Question.* What steps if any do you believe we should take to avoid similar problems in future acquisition programs?

Answer. It is my understanding that the level of concurrency in the JSF program was established based on an expectation that our modeling and simulation capabilities would allow us to reduce the amount of discovery in flight test compared to our historical experience with similar programs. This assumption proved unrealistic, and I believe our experience on the JSF program should lead us to pursue acquisition strategies based on sounder program management practices. There is a bias toward optimism in our program planning that needs to be counteracted by experienced professional leadership. This can be a difficult balance, however as too much risk aversion can also lead to problems including extended schedules and increased cost in programs.

*Question.* The Department recently completed a special "quick look" study on the progress of the Joint Strike Fighter program.

What is your understanding of the key findings of the "quick look" study?

Answer. I chartered the F–35 Quick-Look Review to determine if there was sufficient confidence in the stability of the basic F–35 design to justify additional concurrent procurement. The review team, comprised of technical and program management experts from the AT&L staff, did not find any fundamental design risks sufficient to preclude further production. The team did identify several sources of design risk that warranted reexamining production plans and carefully monitoring of program progress going forward.

*Question.* What steps if any do you believe the Department should take on the Joint Strike Fighter program to address the findings of the study?

Answer. The Department has already taken the appropriate steps to address the findings of this study. Maintaining production at lower than planned rates as the design stabilizes and is validated by developmental flight testing avoids excessive concurrency costs. There are now financial incentives to Lockheed Martin to rapidly identify effective solutions to design discrepancies discovered during flight test and to shorten the timelines for implementation of needed changes during production. The Department is moving to an event-based relationship between production and progress on the development program. If confirmed, I will continue to monitor the program closely and will intervene if the program does not execute to plan.

*Question.* What lessons from this study, if any, do you believe that the Department should learn and apply to other programs?

Answer. The Department learned that while engineering design tools have advanced remarkably in the information age, they have not replaced the need for careful developmental testing of complex military systems. Authorizing production before sufficient progress had been made in flight-testing to provide confidence in the design incurred excessive concurrency risk for the program as design deficiencies were identified after production aircraft had been ordered and delivered. A more general lesson, and a systemic problem, is the bias toward spending appropriated funds whether it is a sound management and business decision to do so or not.

*Question.* Do you believe that the "quick look" approach is a model that should be repeated for other programs, or should the Department's established processes be sufficient to identify problems and opportunities in ongoing programs without the need for such special reviews?

Answer. Yes, I believe the Quick-Look approach can and should be repeated on other programs. The F–35 Quick-Look Review relied on the technical expertise and engineering judgment of the Deputy Assistant Secretary of Defense (DASD) for Systems Engineering, the DASD for Developmental Test and Evaluation, and the Director for Strategic and Tactical Systems, supplemented by other subject-matter experts from the Service Technical Centers and the OSD staff. Their programmatic expertise and authority on the F–35 program derived directly from their oversight roles within the Department's established processes. Although the Department frequently requests technical advice and assistance from external subject matter experts, conducting timely, focused internal reviews of critical acquisition issues does provide the Department a valuable tool for responsively analyzing and resolving rapidly emerging programmatic issues. I do not regard this mechanism as a deviation from established processes, but as an adjunct to those processes. It was trig-

gered in part by a report from the Director of Operational Test and Evaluation, which was a part of the Department's normal processes.

FIXED PRICE-TYPE CONTRACTS

*Question.* Recent congressional and DOD initiatives attempt to reduce technical and performance risks associated with developing and producing major defense acquisition programs so as to minimize the use of cost-reimbursable contracts.

Do you think that the Department should move towards more fixed price-type contracting in developing or procuring major defense acquisition programs? Why or why not?

Answer. While I think greater use of fixed-price vehicles, particularly in early production, is warranted, I do not believe that the Department should be restricted in the available contract types because of the wide variety of situations faced by the Department. In general, I believe that the move to increased use of fixed-price contracting that Dr. Carter and I initiated in the Better Buying Power initiatives was a sound decision. Increased use of fixed price incentive fee contracting in early production has particularly high potential to improve outcomes. I am less enthusiastic about fixed price development because of my experiences with this approach in the late 1980s and early 1990s. Nevertheless, there are instances when fixed price development is the best approach. The AF tanker program is a good example. In this case the guidelines I would use for fixed price development were all present: (1) the requirements were firm; (2) the technical risk was low; (3) the expected bidders had the expertise and experience to bid rationally and to execute successfully; (4) the expected bidders had the financial capacity to absorb any reasonable overruns; and (5) they had a business case that would motivate them to do so. If any of these elements were not present, I would seriously consider whether a cost plus development approach was the best option. Many of our development programs do entail cost risk that may exceed industry's capacity and willingness to absorb losses. In many cases, the Department is reaching for unprecedented levels of performance in advanced designs. No amount of risk reduction can completely remove all the risk from next generation designs and the government may need flexibility to work closely with the contractor to adjust requirements as knowledge increases during development. In some cases, operational urgency makes long risk reduction programs prior to development for production unacceptable. The bottom-line is that there is a range of contract types for good reasons.

*Question.* Under what circumstances, if any, do you believe it would be appropriate for the Department to use a cost-type contract for the production of a major weapon system?

Answer. I believe those circumstances should be limited, but they will sometimes occur. For the production of a major weapon system, I would consider a cost type contract in those circumstances where the system design and/or the state of production has not yet matured to the point where reliable cost outcomes can be projected. This situation can occur, for example, in production of new design first articles in commodities like satellites and ships. It can also occur when there is great schedule urgency, due to an operational situation or an intelligence surprise, which precludes taking time for risk reduction and design maturation. In these cases, higher degrees of risk and concurrency are warranted with concomitant risk in production costs and even feasibility that it may not be reasonable to ask industry to assume. Most production, certainly the production beyond low rate initial production, should be contracted for on a fixed price basis. I have continued to support the emphasis that Dr. Carter and I placed on the use of fixed price incentive fee contracts during low rate production. These vehicles cap the government's liability, while allowing some flexibility for cost uncertainty and providing a strong incentive for industry to control costs. They also provide the government with good visibility into contractor actual costs.

*Question.* In a recent presentation at the Center for Strategic and International Studies, you were quoted as stating that "The data says it doesn't make much difference" whether the Department uses fixed-price or cost-plus contracts for low-rate initial production contracts.

Does this quote accurately reflect your views?

Answer. I was not expressing a view. The quote reflects what the data suggests. The data is incomplete and needs greater study. I was making the point that our acquisition policies need to be data driven whenever possible, not just intuitive. I have seen several swings of the pendulum with regard to perceived best practices in acquisition. Usually the current conventional wisdom is based more on intuition and what seems to have not worked recently, than on an analysis of the historic data on program outcomes.

*Question.* What data were you relying on in making this statement?

Answer. This statement was based on an examination of earned-value data on the actual performance of 440 historical, large, early-stage production contracts for Major Defense Acquisition Programs (MDAPs). These data were reported between January 1970 and December 2011. They are available in the Defense Acquisition Management Information Retrieval system (DAMIR) and its predecessor, the Consolidated Acquisition Reporting System (CARS).

*Question.* What conclusions if any have you reached about the way the Department should contract for low-rate initial production of major weapon systems?

Answer. No single contract type works best in all cases for low-rate initial production of major weapon systems and each situation has to be carefully evaluated to determine the best approach for that situation. In cases where risk has not been or cannot be adequately reduced (due to urgency or the technical feasibility of reducing risk without building a production asset) a cost plus vehicle may be appropriate. A fixed-price incentive firm (FPIF) or cost-reimbursable contract may also be appropriate when the incentive structure is properly designed and tied to desired performance over the anticipated risk range. Alternatively, firm-fixed price (FFP) contracts may be appropriate for low-rate initial production in cases where there is little risk and the production processes and costs are well understood.

TECHNOLOGY TRANSITION

*Question.* The Department continues to struggle with the transition of new technologies into existing programs of record and major weapons systems and platforms. Further, the Department also has struggled with moving technologies from DOD programs or other sources rapidly into the hands of operational users.

What impediments to technology transition do you see within the Department?

Answer. The impediments I see include the formality and rigidity associated with Programs of Record, inflexibility in the requirements process, the length of time it takes to obtain programmed funds, the difficulties associated with reprogramming funds, and the difficulties small businesses and non-defense companies have in doing business under Federal Acquisition Regulation they may not be familiar with.

*Question.* What steps if any will you take, if confirmed, to enhance the effectiveness of technology transition efforts?

Answer. There are a number of activities under way in the Department to enhance the effectiveness of technology transition. If confirmed I will continue to support these initiatives and look for other opportunities to enhance technology transition. The rapid acquisition programs that the Department has initiated to support ongoing operations have been very successful at acquiring new technologies and fielding them quickly. The Department needs to institutionalize this process so that future urgent needs can also be met effectively. DOD is in the process of expanding the rapid acquisition of Joint Urgent Operational Needs from primarily off the shelf technology to those that require some limited development time and may not be directly associated with ongoing operations. The Department is expanding it's outreach to small businesses, including, with Congress' support, reinvigorating the mentor protégé program which aligns traditional defense firms with small businesses trying to break into the defense markets. Under the Better Buying Power initiatives, the Department has taken steps to improve communication between government and industry about both government funded R&D priorities and company funded internal research and development (IR&D). The Army has initiated a program that allows firms to demonstrate their networking technologies and qualify for competitive awards. The Air Force is taking steps to allow advanced technology space launch firms to compete with traditional firms. All the Services are emphasizing open systems and open architectures as a means of permitting new technologies to be inserted into existing programs. These are just examples of the types of steps the Department needs to take to improve technology transition.

*Question.* What can be done from a budget, policy, and organizational standpoint to facilitate the transition of technologies from science and technology programs and other sources, including small businesses, venture capital funded companies, and other non-traditional defense contractors, into acquisition programs?

Answer. I believe that it is important that the Department tap into as great a range of sources of technology as possible. This includes commercial technology, small business, and traditional defense companies. By adopting open standards that keep pace with technology, the Department can tap into commercial technology, particularly in information systems. Small businesses, including non-traditional defense contractors are a critical source of innovation. Initiatives to increase small business participation in defense programs include reinvigorating the mentor protégé program; lowering barriers to participation in the Small Business Innovation Research

program such as restrictions on venture capital ownership; and expansion of some small business size restrictions. The Department has increased its efforts to stimulate and leverage independent research and development (IR&D) with new practices to improve communication with industry on Department priorities and ensuring Department science and technology and acquisition program managers are aware of the technology developments in IR&D projects. If confirmed, I will continue and expand the Departments efforts to reach out to and support all of these sources of technology and find ways to reduce barriers to entry for the sources of new technology.

Where Congress has seen fit to provide funds for innovation beyond the level that the Department requested, the Department has acted promptly to execute those funds and if confirmed I will continue that practice. For example, the Ike Skelton NDAA for Fiscal Year 2012 and the Fiscal Year 2011 Defense Appropriations Act included provisions for the establishment of the Defense Research and Development Rapid Innovation Fund (RIF). This program emphasizes rapid, responsive acquisition and engagement of small, innovative businesses in solving defense problems using a fully merit-based, competitive proposal process. The Department is in the process of awarding the initial contracts under the Rapid Innovation Fund.

Our Office of Small Business Programs is also working with the Small Business Administration to implement the fiscal year 2012 reauthorization of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer programs. Two provisions within this reauthorization will facilitate transition of technology. The first is the Commercialization Readiness Program for DOD that directs DOD to establish goals for increasing transition of SBIR developed technology into fielded programs or programs of record, and provides for the use of incentives for program managers and prime contractors to meet these goals. The second is the provision to allow limited participation by small business firms that are owned in majority part by multiple venture operating companies, hedge funds or private equity firms. This action is intended to induce additional venture capital, hedge fund, or private equity firm funding of small business innovation.

*Question.* Do you believe that the Department's science and technology organizations have the ability and the resources to carry technologies to higher levels of maturity before handing them off to acquisition programs?

Answer. In general, I believe that the Department's S&T (Budget Activities 1–3) organizations collectively have the ability and adequate resources to carry technologies forward to the pre-production prototyping stage at Budget Activity 4, which may or may not be a formal acquisition program. Technological superiority underpins the Department's strategy and if confirmed, I will continue to monitor the balance of S&T and R&D investments to ensure a proper balance and that the S&T activities have adequate capacity and resources.

*Question.* What steps if any do you believe the Department should take to ensure that research programs are sufficiently funded to reduce technical risk in programs so that technological maturity can be demonstrated at the appropriate time?

Answer. As I have stated in previous testimony, I believe technologies (that are necessary or desirable to meet proposed acquisition program needs) should be identified early and that specific maturation programs should be defined and agreed to by the S&T and development communities. Technology maturation programs should also be collaboratively managed. Within specific programs, this is based in part on the Technology Readiness Assessment (TRA) process, which assesses the technological maturity of critical technology elements enabling systems performance, and the program manager's technology maturation strategies. The Milestone decision process ensures these strategies are adequately funded and determines exit criteria for demonstrating technical progress before the commitment to investments in development or production.

*Question.* What role do you believe Technology Readiness Levels and Manufacturing Readiness Levels should play in the Department's efforts to enhance effective technology transition and reduce cost and risk in acquisition programs?

Answer. Technology and Manufacturing Readiness Levels (TRLs and MRLs) are tools for gauging the maturity of technologies that might be adopted by an acquisition program to meet cost or performance goals or to achieve desired production capabilities. They provide an indicator of the degree of risk remaining in a program. I believe they are valuable benchmarks against which to assess program risk, but I also believe that TRLs and MRLs alone are not conclusive about whether a program should proceed to development and production or not. One has to look behind these labels to understand the actual risk associated with a technology and the steps that could be taken to mitigate that risk. If confirmed, I will continue to use TRLs and MRLs, but I will also continue to insist on thorough professional assessments of risk that go beyond the use of these benchmarks.

*Question.* Section 253 of the NDAA for Fiscal Year 2009 required the Department to report to Congress by no later than October 1, 2009, on the feasibility and advisability of various approaches to technology transition. The Department has not yet complied with this requirement.

When can the committee expect to receive the report required by section 209?

Answer. It will be delivered by April 6, 2012.

*Question.* Section 1073 of the NDAA for Fiscal Year 2011 established a competitive, merit-based rapid innovation fund to accelerate the fielding of technologies developed pursuant to SBIR projects, technologies developed by the defense laboratories, and other innovative technologies.

What is your view of the rapid innovation fund established by section 1073?

Answer. In September 2011, the Department issued solicitations for Rapid Innovation Fund (RIF) proposals and received over 3,500 responses. I anticipate that approximately 160–180 of the responses will receive contract awards. My view is it is too early to determine the RIF's overall impact. Our implementation processes were successful in obtaining proposals, primarily from small businesses. However, contract awards should not be the sole criteria for success. I believe it will take at least 2 or 3 years before one can objectively assess the effectiveness of RIF in achieving the goal of accelerating the transition of innovative capabilities into Department programs.

*Question.* What is your understanding of the Department's plans for the funds previously authorized and appropriated to the fund, but not yet expended?

Answer. The fiscal year 2011 program value for the RIF is $496.1 million of which $436.4 million are RDT&E funds, and $59.7 million are procurement funds. My understanding is that the Department is on track to obligate all of the $436.4 million RDT&E funds prior to September 30, 2012 for contract awards to proposals.

UNREALISTIC COST, SCHEDULE, AND PERFORMANCE EXPECTATIONS

*Question.* Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. Section 201 of WSARA seeks to address this problem by promoting early consideration of trade-offs among cost, schedule, and performance objectives in major defense acquisition programs.

Do you believe that early communication between the acquisition, budget and requirements communities in DOD can help ensure more realistic cost, schedule, and performance expectations?

Answer. Yes.

*Question.* If so, what steps if any would you take, if confirmed, to ensure such communication?

Answer. I have, and if confirmed will continue to stress the need for earlier communication among the requirements, budget and acquisition communities to enable more informed decisions on cost, schedule, and performance trades from the beginning of requirements development throughout the acquisition lifecycle. If confirmed, I will continue to take steps to forge closer ties between military needs and acquisition solution development in the services and in the Department overall. I regularly participate in the JROC where cost-informed and technologically sound decisions can yield savings in time and resources for acquisition programs. I have directed AT&L staff elements to engage with the Joint Staff early in the process of validating joint requirements to assist with assessment of candidate needs against existing capability portfolios. I strongly support Configuration Steering Boards and other forums in which requirements, budgeting, and acquisition communities work together to reach better solutions to our warfighters needs.

*Question.* DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule, and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Department's major acquisition programs?

Answer. Yes. While not a silver bullet, incremental development can play a significant role in the development of major acquisition programs. The Department applies the term "incremental" to both the incremental and spiral acquisition approaches. In particular, an incremental approach could be the right strategy when the program manager is faced with an evolving requirement, an evolving threat, or where an investment in an immature technology is needed to achieve a longer-term advantage. In this last case, fielding a capable, call it an "80 percent solution" now, with an eye to incorporating the new technology when it is ready later, is a good strategy. In all these instances, getting a capability into the warfighters' hands

sooner, then upgrading to a more capable system can be a smart business approach, and better serve our troops.

*Question.* What risks do you see in the Department's use of incremental acquisition and spiral development?

Answer. If implemented correctly, there is little additional technical risk to using an incremental strategy. There are upfront costs associated with an open design that can accommodate incremental upgrades. Part of the trade off for lowering the initial technical risk is the necessity in such a strategy to incorporate an intentional plan that allows for upgrading early deliveries to the final configuration or cutting changes into the production line. The additional cost and complexity for these upgrades is an important consideration that must be factored into the overall plan for an incremental approach. Smart use of open architecture and commercial standards, careful management of intellectual property rights, and well defined form, fit, and function interfaces are important to being able to upgrade systems more easily at a reasonable cost.

*Question.* In your view, has the Department's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. The department applies the term "incremental" to both the incremental and spiral acquisition approaches. The Department's success has been mixed. I believe the Department has been more successful in producing open designs that can accommodate uncertain new technology than in preplanned future spirals. Success depends upon the degree of technical risk or requirements instability and whether the program management and oversight structures are responsive to the needs of these strategies. No approach to acquisition is right for all circumstances but incremental acquisition strategies that enable multiple block upgrades can provide the Department with a useful flexibility and efficient improvements in capability.

*Question.* What steps if any do you believe are needed to ensure that the requirements process, budget process, and testing regime can accommodate incremental acquisition and spiral development approaches?

Answer. I do not believe that additional steps are required. Under our current acquisition policy, each increment of capability requires approved/achievable requirements, full funding for the increment and a test plan designed to assess the capability the increment is expected to provide. Affordability constraints are being implemented, and I believe that these constraints will discipline the requirements process to realistic initial capabilities that may be improved in future increments. In short, the Department's policies are designed to support an incremental acquisition approach in those cases where it is the most appropriate strategy.

*Question.* How should the Department ensure that the incremental acquisition and spiral development programs have appropriate baselines against which to measure performance?

Answer. Current department acquisition policy requires each program increment to have an Acquisition Program Baseline (APB) that specifies the cost, schedule, and performance against which the program increment will be measured. The APB is approved by the Milestone Decision Authority (MDA) and cannot be altered without MDA approval. In a multi-increment program, each increment must have its own MDA-approved baseline.

MAJOR SHIPBUILDING PROGRAMS

*Question.* Recent estimates indicate that the new nuclear-powered aircraft carrier *Gerald R. Ford* (CVN–78) will cost over $12 billion, exceeding the legislatively-imposed cost-cap by as much as a $500 million. It appears that cost growth in this ship is attributable to, among other things, inaccurate assumptions in the cost of materials made when much of the ship's design was immature and unforeseen labor issues encountered with new design features.

How confident are you that the Navy can effectively control the cost to build the CVN–78 in particular and other major shipbuilding programs in general?

Answer. The Navy has worked aggressively with the contractor to get CVN–78 costs under control. I believe the Navy currently has a solid understanding of CVN–78 costs; however, the Navy will not be able to complete the ship within the cost cap. Although there has been substantial cost growth, there are reasons to be hopeful that costs are now under control:

- The ship design is now more than 90 percent complete and the design is fully on contract;
- Shipbuilder cost performance on current work is improving;
- Material cost estimates are mature; and
- The Navy is implementing should cost targets throughout the supply chain including for government furnished material.

In general, I see activities in the Navy that focus on cost-consciousness at all levels, government and industry, including major shipbuilding programs.

*Question.* What do you see as the major factors contributing to the Navy's continuing difficulty in effectively managing the cost of building its largest ships?

Answer. At this point, I see the following three major factors contributing to cost growth:

- CVN–78 is a lead ship, and as a consequence, there was greater uncertainty about cost than with established programs;
- CVN–78 had an incomplete design at contract award; and
- The program involved concurrent development of major ship systems such as the Electromagnetic Aircraft Launching System, the Advanced Arresting Gear, and the Dual Band Radar.

In summary, the scope and complexity of the program were underestimated.

*Question.* What steps will you take, if confirmed, to address these causal factors?

Answer. For CVN–78 and follow-on *Ford*-class ships, achieving full design maturity for the ship and its major systems is the key to addressing the causal factors of cost growth. In addition, aggressive should cost management of the ship and subsystem contracts is required to identify and eliminate unnecessary cost in the transition to follow-on ships.

FUNDING AND REQUIREMENTS STABILITY

*Question.* The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multiyear contracts. More recently, the Department has sought greater requirements stability by instituting Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

Do you support the use of Configuration Steering Boards to increase requirements stability on major defense acquisition programs?

Answer. I support activities such as Configuration Steering Boards that provide Service leadership a forum to review proposed changes to program requirements or system configuration and preclude adverse impact on program cost and/or schedule. Configuration Steering Boards are entirely consistent with the Better Buying Power initiatives that seek to target affordability and control cost growth. If confirmed, I will continue to emphasize the importance of Configuration Steering Boards and ensure they are contributing to requirements stability and cost control as intended.

*Question.* What other steps if any would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. I believe that it is incumbent on the acquisition community to work with the requirements and resource communities to ensure programs have clear, achievable requirements and realistic funding profiles. The acquisition community must bring its technical expertise to the discussion of requirements and funding throughout the acquisition progress to enable requirements and funding profiles that are inherently stable because they are realistic and affordable.

TIME-CERTAIN DEVELOPMENT

*Question.* The Defense Acquisition Performance Assessment (DAPA) panel recommended in 2006 that the Department set fixed durations for program phases, including a requirement for the delivery of the first unit of a major weapon system to operational forces within 6 years of the Milestone A decision. The DAPA panel believed that durations for program phases could be limited by ensuring appropriate levels of technological maturity, defined risk-reduction horizons, and program execution criteria, while allowing for the use of spiral development or block upgrades for enhancements in capability or increased requirements over time. Proponents of this approach, called time-certain development, have highlighted its potential for helping ensure that evolutionary (or knowledge-based) acquisition strategies are used to develop major systems by forcing more manageable commitments to discrete increments of capability and stabilize funding by making costs and schedules more predictable.

What is your view of the DAPA panel's recommendation?

Answer. The DAPA panel identified several key ways to improve the DOD acquisition process. Many of these findings—knowledge based acquisition, reducing nonvalue added oversight, improving coordination with the requirements process – have been incorporated into the Better Buying Power initiatives put in place in 2010. The Department is seeing positive results from these efforts.

*Question.* What is your view of time-certain development as an acquisition strategy for major weapons systems development programs?

Answer. Time really is money, and prolonged extended development schedules that span multiple technology refresh cycles are inherently inefficient. This is not a silver bullet, however, and I believe placing arbitrary time limits on programs as a general approach would not be a smart strategy. I have worked, and if confirmed would continue to work to establish realistic program timelines and make sure thorough planning has been done upfront. Where it makes sense, I have also continued to emphasize the need to deliver the "80 percent solution" to the warfighter more quickly in less-risky and more cost effective ways, using an approach based on open systems and open architectures to meet the evolving requirements over time. In the more general case, program managers who do good up-front planning have a thorough understanding of the requirements, the technology, and industry capability can create an acquisition strategy that is both achievable in a reasonable time and affordable. The idea behind time-certain development programs is to force programs to adopt proven, lower-risk technologies, shorter engineering development, and less replanning and rework after a program starts. Sometimes this is the right approach. The purpose of a program, however, is to deliver a fielded capability that meets the user's needs. The best way to control program duration is to control the requirements, both initially and over the development cycle. If confirmed, I will continue to work closely with the requirements community, particularly the JROC, to ensure that requirements can be met in a reasonable time, are technically feasible, and are affordable.

*Question.* What steps if any would you take, if confirmed, to implement time-certain development strategies in the future acquisition programs?

Answer. I agree that program duration should be controlled, but the best approach to doing so is to limit requirements to those that can be achieved in a reasonable timeframe, where this makes sense. Once requirements are set, a development program should be structured to be as efficient as possible in preparing the product that meets those requirements to enter production. The emphasis during development should also be on controlling the costs of production and sustainment, which are the real drivers of most program's life cycle costs. Software intensive programs including business systems, command and control systems, and large scale embedded software programs for weapons systems should be structured in relatively short (nominally 1 year) increments as a way of forcing detailed planning, manageable work packages, and disciplined development.

MILITARY SPACE PROCUREMENT POLICY

*Question.* DOD, the Intelligence Community, NASA, and other Government agencies rely on commercial domestic launch service providers to place spacecraft and satellites into and beyond orbit. The Government plans to spend at least $15 billion on launch services from fiscal year 2013 through 2017, and launch costs are expected to rise. The Department is in the midst of implementing a revised launch vehicle acquisition strategy.

What steps do you believe the Department should take to:

Answer.

a. Keep launch costs from continuing to spiral upwards?

I believe that introducing more competition for launch as soon as feasible is the key to controlling launch costs. The Air Force is taking steps to determine and understand the root causes behind the upward spiral of costs and to attack the high overhead costs the Department is currently paying. The current efforts take the form of a dual prong approach that: (1) implements a block-buy acquisition strategy to purchase economic order quantities; and (2) provides a path to qualification of new entrants into the National Security Space (NSS) launch market. As required in the 2012 NDAA, I have acted to reinstate the evolved expendable launch vehicle (EELV) as a major defense acquisition program (MDAP) not in sustainment so that there will be greater visibility into the programs status. If confirmed I will work with the Air Force to ensure that reduction of launch costs is a high priority and that these initiatives are carried out.

b. Introduce new entrants, where they are available, to the launch industry while maintaining the Nation's unprecedented high level of launch successes?

Competition will be a key component to reducing and promoting reduced launch costs and the key to creating competition is allowing new entrants into the market without sacrificing safety and reliability. Implementing the recently developed AF–NRO–NASA coordinated strategy for certifying new entrants and the subsequent AF New Entrant Certification Guide, which provides a risk-managed approach for introducing new-entrant launch companies to the NSS market for EELV-class missions, are important next steps. However, throughout the process of introducing new en-

trants, the Department can not sacrifice safety and must continue to maintain mission success rates.

c. Enable the U.S. launch industry to be more competitive on the world market?

I believe several steps could be taken to promote U.S. competition in the world market. First, there is a need to consider possible reclassification of selected launch capabilities under the International Trafficking in Arms Regulation (ITAR). The Department should also explore developing and implementing policy to make it easier for commercial space enterprises to use DOD launch bases/ranges for commercial missions. This would make domestic launch providers more competitive commercially, because they would be able to employ existing capital infrastructure at our DOD launch facilities and ranges. Of course, this would require the Department to determine ways for these commercial companies to pay their fair share of the cost of modernizing, operating, and maintaining these facilities. Such a partnership could be a win-win situation, but would have to be designed and executed on a non-interference basis with national security missions.

*Question.* GAO has found that there is a continuing, severe disconnect between satellite development programs and the development of ground control systems and receivers. For example, new Global Positioning System (GPS) satellites are expected to be in orbit nearly a decade without the ships, aircraft, and other weapon systems being able to take full advantage of them. Given that some satellites now cost well over $1 billion each to develop and launch, the implications of insufficiently aligning the Department's space and ground requirements are very significant.

Do you agree with GAO's assessment of this issue?

Answer. I agree with the GAO that there are timing disconnects in some of our space acquisitions between the satellites, ground control, and user equipment.

*Question.* What steps if any would you take, if confirmed, to address this disconnect?

Answer. Most of the situations the Department faces today with satellite, ground control, and user system disconnects leave the Department with little flexibility. These situations came about largely because one element of the system was delayed due to technical difficulties or funding shortfalls and got out of synchronization with the others. Disconnects can occur with any of the system elements, but the most frequent situation is for satellites to be ready before user equipment is ready. This problem exists with the mobile user objective system (MUOS) and the family of advanced beyond line-of-sight terminals (FAB–T), and with GPS III, depending on how the user equipment progresses. The only solution to the problem is to set up realistic coordinated schedules at the outset, design in as much flexibility as possible, and then monitor progress closely and make adjustments early before the disconnects grow out of control. For the programs that are well under way and in which these disconnects already exist, I have taken action on a case-by-case basis to address the situation. On MUOS, I have worked with industry and the two program offices involved (JTRS and MUOS) to achieve improved execution performance. I have insisted on a single end-to-end lead, the Navy, for the entire MUOS effort and the integrated Navy/JTRS team is being assessed on a regular basis to insure the product set and delivery time are optimized. For FAB–T, I have directed the initiation of an alternative source for the most critical terminals. I am reviewing the three GPS program segments as an enterprise with all three segments, GPS III, OCX, and MGUE being addressed simultaneously. If confirmed, I will continue these practices and work to anticipate any emerging disconnects and address them as early as possible.

MULTIYEAR CONTRACTS

*Question.* The statement of managers accompanying section 811 of the NDAA for Fiscal Year 2008 addresses the requirements for buying major defense systems under multiyear contracts as follows: "The conferees agree that 'substantial savings' under section 2306b(a)(1) of title 10, U.S.C., means savings that exceed 10 percent of the total costs of carrying out the program through annual contracts, except that multiyear contracts for major systems providing savings estimated at less than 10 percent should only be considered if the Department presents an exceptionally strong case that the proposal meets the other requirements of section 2306b(a), as amended. The conferees agree with a Government Accountability Office finding that any major system that is at the end of its production line is unlikely to meet these standards and therefore would be a poor candidate for a multiyear procurement contract."

If confirmed, under what circumstances, if any, do you anticipate that you would support a multiyear contract with expected savings of less than 10 percent?

Answer. The complexity of each situation makes a general answer difficult. I believe that multiyear contracting can provide substantial cost savings, and therefore it should be considered as an option to serve best the warfighter and taxpayer. The total magnitude of the savings that could be achieved and the firmness of the procurement plan would be key considerations. I recently certified two multiyears for shipbuilding programs that might not reach the 10 percent savings threshold depending on how the baseline is calculated and how successful the contract negotiations are. The circumstances that motivated me to do so were my confidence in the Navy management team's ability to negotiate the best possible price for the Department, the certainty that the ships would be acquired, and the knowledge that if an acceptable price could not be negotiated that the Department would not execute a multiyear.

*Question.* If confirmed, under what circumstances, if any, would you support a multiyear contract for a major system at the end of its production line?

Answer. It may be appropriate in some circumstances to consider a program for multiyear procurement when it is nearing the end of production. It depends upon the circumstances of the particular procurement. The total magnitude of the savings that could be achieved and the firmness of the procurement plan would be key considerations. Analysis and careful review of all information should be completed whenever a multiyear contract is being considered.

*Question.* What are your views on multiyear procurements? Under what circumstances do you believe they should be used?

Answer. In general, I favor multiyear procurement strategies if they provide substantial savings and if there is a firm commitment to the planned procurement. I believe that multiyear procurements can offer substantial savings through improved economies in production processes, better use of industrial facilities, and a reduction in the administrative burden in the placement and administration of contracts. The potential for multiyear procurement can be a powerful incentive to suppliers to reduce cost and negotiated price but it also has the disadvantage of reducing the Government's flexibility during the years the strategy is being executed. There are a number of criteria to consider in deciding whether a program should be considered for multiyear procurement. Among them are: savings when compared to the annual contracting methods; validity and stability of the mission need; stability of the funding; stability of the configuration; associated technical risks; degree of confidence in estimates of both contract costs and anticipated savings; and promotion of national security.

*Question.* What is your opinion on the level of cost savings that constitute "substantial savings" for purposes of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. There has been much debate over the threshold on the level of cost savings that constitutes "substantial savings." In my view, the 10 percent figure cited in the conference manager's statement is a reasonable benchmark, but it should not be an absolute criteria. The Department needs to ensure that the savings achieved from multiyear contracts are substantial, not only in terms of the relative difference in price that the Department would otherwise pay for an annual procurement, but also in terms of the total dollars saved. But I also understand that placing an absolute minimum threshold on substantial savings could unnecessarily limit the contracting options available. The merits of any single multiyear procurement should be evaluated based upon the circumstances of each particular proposed program being considered for multiyear procurement.

*Question.* Under what circumstances, if any, do you believe that a multiyear contract should be used for procuring weapons systems that have unsatisfactory program histories, e.g., displaying poor cost, scheduling, or performance outcomes but which might otherwise comply with the requirements of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. Multiyears should be pursued when they are in the best interest of the government. However, in the circumstances set out in the question, the degree of scrutiny should be greater than in other cases. Additional analysis and careful review of all information should be completed whenever a multiyear contract is being considered for use in procuring weapon systems that have shown unsatisfactory program histories, but which otherwise comply with the statutory requirements. It is particularly important in a situation like this that the reasons for unsatisfactory history are understood and that those reasons have been addressed. If a supplier were deemed to have a high likelihood of failure to perform and default due to overruns, then a multiyear would not be in the Government's interest.

*Question.* How would you analyze and evaluate proposals for multiyear procurement for such programs?

Answer. The Department would need to examine all risk factors in conjunction with the potential for cost savings to determine if multiyear procurement would be appropriate for a program with an unsatisfactory history. If confirmed, I will ensure analysis and evaluation of proposals for multiyear procurements are in accordance with all statutory and regulatory requirements, and I will ensure that the Department fully understands the benefit to the warfighter and taxpayer to proceed with a multiyear procurement for a program that has an unsatisfactory history.

*Question.* If confirmed, what criteria would you apply in determining whether procuring such a system under a multiyear contract, is appropriate and should be proposed to Congress?

Answer. If confirmed, I will ensure that all of the regulatory and statutory requirements are met before proceeding with any multiyear procurement. I would also ensure that all risk factors had been carefully analyzed and considered.

*Question.* What is the impact of the Department's current budget situation, in your view, on the feasibility and advisability of additional multiyear procurement contracts for major weapon systems?

Answer. I believe that the current budget environment increases the inherent value that the stability of multiyear procurement contracts provides to industry, giving the Department the opportunity to enter into such agreements on favorable terms. However, this opportunity must be balanced against the fact that multiyear contracts encumber budgetary resources over multiple years and with our current budget constraints, the Department must be judicious in the extent to which it enters into such contracts. Above all, there must be a firm commitment to the entirety of the multiyear so that even if additional budget reductions are necessary the products being procured under multiyear arrangements will have a higher funding priority than other programs that would have to be reduced.

*Question.* Under what circumstances, if any, should DOD ever break a multiyear procurement?

Answer. If the Department has done its job properly and industry has proposed responsibly, the cancellation of a multiyear contract should be all but unheard of. There are very rare circumstances when it could occur. One such event would be in the case of extremely deep and unanticipated budget reductions that forced a fundamental reshaping of Department priorities. Another possibility would be the surprise emergence of a threat that rendered the program under contract instantly obsolete. In these circumstances, cancellation or renegotiation of a multiyear procurement could be appropriate or even required. Finally, if a contractor were to default and be totally unable to perform than the contract might have to be terminated so that another supplier could be arranged for.

CONTINUING COMPETITION AND ORGANIZATIONAL CONFLICTS OF INTEREST

*Question.* Section 202 of WSARA requires DOD to take steps to promote continuing competition (or the option of such competition) throughout the life of major defense acquisition programs.

What is your view on the utility of continuing competition as a tool to achieve long-term innovation and cost savings on major defense acquisition programs?

Answer. In my view, there is no more effective tool to reduce prices than competition. The Department should use direct competitive acquisition strategies whenever possible. Utilizing competition in the marketplace allows the Department to leverage innovation, S&T, design, and drive efficiency through a program's lifecycle providing a stronger return on investment. For this reason, the Department should strive to use this model as much as possible in its programs. Under the Better Buying Power initiatives, I have stressed the need for creating a "competitive environment" to the greatest extent possible in all our programs. This can be done any number of ways, including component breakout, initiation of a next generation concept or a program to upgrade an existing alternative. In recent speeches, I have emphasized that with ongoing budget reductions there is a competition within the budget for funding in which poorly performing programs will not do well. If confirmed, I will continue to stress creating a competitive environment as one of the most effective ways the Department has of controlling cost.

*Question.* Do you believe that such continuing competition is a viable option on major defense acquisition programs?

Answer. I believe that competition at both the prime and subcontract level are the most powerful tools available to the department to drive productivity and control cost. To ensure that competition is emphasized during every phase of the acquisition process, the Department has issued policy requiring our Program Managers to present a competition strategy for their programs at each program milestone. I personally review these strategies and would continue to do so, if confirmed, for

Major Defense Acquisition Programs and would require Component Acquisition Executives to do the same for programs under their cognizance.

*Question.* In your view, has the consolidation of the defense industrial base gone too far and undermined competition for defense contracts?

Answer. I believe that the consolidation witnessed throughout the 1990s has left us with a limited number of prime contractors for major programs and that further consolidation at that level is probably not in the Department's or the taxpayer's interest. I have said so publicly on multiple occasions, as I believe it is important for industry to understand the Department's views so that they can be taken into account. That said, if confirmed, I would certainly review any proposed business deal objectively on its merits. At the lower tiers, however, I would expect to see an increased amount of activity in mergers and acquisitions, and even consolidations to further streamline capabilities and respond in a market-driven manner to the reduced budgets anticipated over the coming decade. The Department will examine these transactions carefully on a case-by-case basis to preserve competition and facilitate the most efficient and effective industrial base possible.

*Question.* If so, what steps if any can and should DOD take to address this issue?

Answer. It is the Department's policy to allow market forces to shape the market, but to oppose transactions that eliminate competition and are not ultimately in the best interest of the Department and taxpayer. The Department continues to discourage mergers and acquisitions among defense materiel suppliers that are anti-competitive or injurious to national security. Ultimately, however, the Department is not an antitrust regulator and the ability for the DOJ and FTC to intervene must meet statutory criteria. The Department has long-established procedures to provide information and the support needed by the antitrust regulators for their merger reviews. In areas where consolidation has resulted in a loss of competition, the Department has in the past encouraged new entrants or explored the use of alternative capabilities.

*Question.* Section 203 of WSARA requires the use of competitive prototypes for major defense acquisition programs unless the cost of producing such prototypes would exceed the lifecycle benefits of improved performance and increased technological and design maturity that prototypes would achieve.

Do you support the use of competitive prototypes for major defense acquisition programs?

Answer. Yes, I support the use of competitive prototyping for major defense acquisition programs. This can be an effective mechanism for maturing technology, refining performance requirements, and improving our understanding of how those requirements can drive systems acquisition costs.

*Question.* Under what circumstances do you believe the use of competitive prototypes is likely to be beneficial?

Answer. This depends on the maturity of candidate technologies for meeting the Department's requirements and in particular on the degree of risk associated with integrating those technologies into a viable product. When planned or proposed technology has implementation risk, particularly in an integrated product, and has not been demonstrated adequately, competitive prototyping during the technology development phase works well as an element of a comprehensive technical risk management process. Like all other risk reduction techniques, competitive prototyping has to be considered on a case-by-case basis and it has to reduce the risk of entering Engineering and Manufacturing Development (EMD). Competitive pre-EMD prototyping requires resources and increases schedules. In short, there are costs and benefits to be considered. Overall, however, it can reduce risk, sustain competition further into the design process, reduce total program cost, and lead to better products for our warfighters. This is particularly true in the technology demonstration phase. The cost of competitive engineering and manufacturing development phases is usually prohibitive.

*Question.* Under what circumstances do you believe the cost of such prototypes is likely to outweigh the potential benefits?

Answer. In cases where the material solution is based on mature, well understood technologies and demonstrated designs with little integration risk, the additional costs of competitive prototyping are unlikely to offset the potential reduction of system lifecycle costs. Prototypes requiring very high investments with limited production runs are also unlikely to meet this test; competitive prototyping of ships and satellites is frequently cost-prohibitive, both in a technology demonstration phase and in engineering and manufacturing development phase. However, competitive prototyping of major subsystems can still provide opportunities for reducing risk and driving down production and sustainment costs.

*Question.* Section 207 of WSARA required the Department to promulgate new regulations to address organizational conflicts of interest on major defense acquisition programs.

What is your understanding of the steps the Department has taken to implement section 207?

Answer. Section 207 of the Weapons System Acquisition Reform Act (WSARA) of 2009 (Pub. L. 111–23) required the Secretary of Defense to revise the Defense Supplement to the Federal Acquisition Regulation (DFARS) to provide uniform guidance and tighten existing requirements for organizational conflicts of interest by contractors in major defense acquisition programs. The DFARS rule implementing WSARA was published on December 29, 2010. This rule provided uniform guidance and tightened existing requirements for organizational conflicts of interest for DOD contracts. On April 26, 2011, a proposed change to FAR subpart 9.5 relating to organizational conflicts of interest was published, but this rule has not yet been finalized.

*Question.* What additional steps if any do you believe DOD should take to address organizational conflicts of interest in major defense acquisition programs?

Answer. The Department has already taken a number of steps, but at this point in time the Department is working with other Federal organizations on a final FAR rule that would guide the Department. The Department and the other Federal agencies determined that, in general, the coverage on organizational conflicts of interest included in the Federal Acquisition Regulations needed broadening and a proposed rule was published on April 26, 2011. The public comment period is now closed and the FAR Acquisition Ethics and International Law Team, including DOD membership, is evaluating public comments and developing the final rule.

Furthermore, the Department's Panel on Contracting Integrity has also reviewed the area of post-employment restrictions pursuant to section 833 of the NDAA for Fiscal Year 2010, Public Law 111–84. The purpose of the review was "to determine if such policies adequately protect the public interest without unreasonably limiting future employment options of former DOD personnel" in developing the revised regulation. A matter the Panel considered was the extent that post-employment restrictions "protect the public interest by preventing personal conflicts of interest and preventing former DOD officials from exercising undue or inappropriate influence." The Panel completed its report in December 2010 and as directed by section 833, the National Academy of Public Administration (NAPA) performed an independent assessment of the Panel's report. NAPA completed its review in February 2012 and provided additional recommendations for post award restrictions. The Panel will review the NAPA recommendations in 2012 and recommend the way forward.

I strongly support the Department's activities to remedy organizational conflict of interest (OCI) issues in major weapons systems to ensure that OCI issues are adequately reviewed and addressed in developing acquisition strategies and source selections and defense-related mergers.

*Question.* What are your views on the use of system engineering and technical assistance contractors that are affiliated with major defense contractors to provide "independent" advice to the Department on the acquisition of major weapon systems?

Answer. I believe that Systems Engineering and Technical Assistance (SETA) support contractors are currently providing critical support to the Department's acquisition workforce. However, I believe these contractors must not be used to perform inherently governmental functions and they must not be used in a situation where a conflict of interest or the appearance of a conflict of interest would exist. At this point, I do not believe that it would be wise, as some have suggested, to create two totally separate classes of contractors separated by a bright line; those that provide support to government functions and those that provide products. Some of the Department's support contractors need the experience, knowledge and perspective that come from working on actual products. If mitigation does not prove effective, I would consider implementing more stringent constraints, but at this point, I believe that mitigation is still the preferred approach.

*Question.* What lines do you believe the Department should draw between those acquisition responsibilities that are inherently governmental and those that may be performed by contractors?

Answer. When it comes to the performance of functions that support our acquisition responsibilities, I believe that a clear line does exist between activities that may or may not be performed by contractors. An important feature for inherently governmental functions lies in the answer to the question whether the activity involves the exercise of discretion in applying Federal Government authority, or the making of value judgments in decisions that obligate government funds and commit the government contractually. Acquisition functions might be categorized in three phases, all of which are or involve inherently governmental functions: acquisition

planning, source selection, and contract administration. In planning, certainly the task of determining or approving requirements falls on the inherently governmental side of the line. In source selection, inherently governmental functions include awarding of contracts, serving on a source selection board and making a determination about whether or not a price to be paid to an officer is reasonable. During contract performance, the Department must not have contractors participate on performance evaluation boards or determine whether contract costs are reasonable. I recognize that many of the tasks for which the Department acquires contracted support in the acquisition arena involve functions that are or may be closely associated with inherently governmental functions. As such, the Department has a responsibility to employ an enhanced degree of management oversight to ensure independent contract support and advice does not evolve into the performance of inherently governmental functions or the provision of impermissible government or proprietary information to contractors.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not misuse their access to sensitive and proprietary information of DOD and other defense contractors?

Answer. In my view, the rules that govern unauthorized disclosure of sensitive and proprietary information are adequate and must be followed. If I am confirmed, I will continue to support strong adherence to the applicable rules.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not unnecessarily limit competition for subcontracts in a manner that would disadvantage the government or potential competitors in the private sector?

Answer. I believe that competition at both the prime and subcontract level is essential to the Department's ability to control cost and provide opportunities for the insertion of new technology. If confirmed, I will continue the policy of requiring program managers to include a strategy to maximize the use of competition, at all levels, in program planning and execution. I will continue to enforce this policy rigorously.

IMPLEMENTATION OF THE WEAPON SYSTEMS ACQUISITION REFORM ACT OF 2009 (WSARA)

*Question.* Several new major weapons programs have been started since the WSARA was enacted. Examples include the *Ohio*-Class Submarine Replacement Program, the KC–46 Aerial Refueling Tanker Replacement Program, the VXX Presidential Helicopter Replacement Program, and the Ground Combat Vehicle Program.

In your view, how effectively have such "new start" major defense acquisition programs abided by the tenets, and implemented the requirements, of the WSARA, particularly those that address "starting programs off right" by requiring that early investment decisions be informed by realistic cost estimates, sound systems engineering knowledge and reliable technological risk assessments?

Answer. Based on my experience since I returned to the Department in March 2010, I can state that the Department has abided by the tenets and implemented the requirements of WSARA in each of its "new start" programs begun since the enactment of WSARA. This includes the examples cited in the question. The certifications required by WSARA provide a means to enforce each program's implementation. Each of these programs is notable for the careful attention paid to developing realistic requirements and a focus on affordability. I completely agree with the premise that the key to successful program execution is sound and realistic planning at program inception.

*Question.* Where do you think there might be room for improvement?

Answer. If confirmed, I will continue to review the performance of "new start" programs that have implemented WSARA to determine what the Department's implementation could do to improve a program's probability of successfully delivering affordable capability on time. I do not believe at this point that major policy changes are required. If confirmed, my focus will primarily be on effective implementation of the policies that have been put in place by WSARA and other initiatives. However, I strongly believe in a doctrine of continuous improvement throughout the acquisition system and if confirmed I will continue to seek opportunities for constructive change on the margins. The Better Buying Power initiative that Dr. Carter and I started is based on the premise that the Department can learn from experience and continuously improve. If confirmed, I will work to identify and implement continuous improvements to the acquisition system. There is plenty of room for improvement.

THE BETTER BUYING POWER INITIATIVE

*Question.* DOD's Better Buying Power initiative provides acquisition professionals with important guidance on how to achieve greater efficiency, enhanced productivity and affordability in how the Department procures goods and services.

If confirmed, what steps if any will you take to follow-through on this guidance and ensure that it is implemented as intended?

Answer. I worked closely with then Under Secretary of Defense for Acquisition, Technology, and Logistics Dr. Ashton B. Carter on the development and initial implementation of the Better Buying Power initiative. If confirmed, I will follow-through on implementation of the initiative and carefully consider additional steps consistent with the principles and objectives of the initiative.

*Question.* In particular, what steps will you take to ensure the implementation of the following elements of the better buying power initiative?

a. Sharing the benefits of cash flow
b. Targeting non-value-added costs
c. Mandating affordability as a requirement
d. Eliminating redundancy within warfighting portfolios

Answer.

a. The cash flow initiative is being initiated by some buying commands with success, but the Department has not collected data on its effectiveness in general. Industry, through the Aerospace Industries Association, has raised some concerns with this initiative and I have agreed to meet to discuss its implications. Industry is concerned about accounting and cash flow implications and at this point, I do not fully understand the basis for these concerns, but I'm happy to listen to their perspective. Where I have received feedback from government contracting officials, they have indicated some success with the initiative. The premise of sharing the benefits of cash flow was that the government could receive a reduced price in return for accelerated cash flow to industry. This should be a mutually beneficial win-win prospect for both parties and where it has been implemented that seems to be the result, but I would like to Reserve judgment on this initiative until I understand industry's concerns more fully and until more data on its implementation can be accumulated.
b. Targeting non-value added costs is a continuous challenge. It involves identifying candidate costs, determining if they really are non-value added, and then working to eliminate them if that is the case. In the most obvious cases this involves duplicative efforts and requirements or regulations that have no beneficial impact. Some oversight and quality control measures may be non-value added and should be eliminated, but the perspective on the value of these measures is often not consistent. Management at all levels needs to be actively engaged in identifying and eliminating non-value added activities and requirements, and again this is a continuous process. The implementation of "should cost" analysis as a management tool is one way in which if confirmed, I will continue to attack non-value added requirements. One minor reform I have initiated within the Milestone review process is to streamline many of the planning documents required for these reviews, while increasing the substantive information present in them. If confirmed, this effort will have my attention in every aspect of the acquisition system.
c. Affordabilty as a requirement has been implemented for major programs, particularly new starts. The basic premise is that the Department should be smart enough to avoid starting programs that will ultimately be canceled because they are not affordable. Determining what affordability cap to put on production and sustainment costs is simply a matter of analyzing the expected long term funding that will be available for the portfolio of products that contains the product under consideration. The next challenge will be twofold: first to flow this type of analysis down to non-Major Defense Acquisition Programs, and second to enforce it for the major programs for which affordability constraints are in place. If confirmed, I intend to meet that management challenge.
d. The effort to eliminate redundancy across portfolios is a work in progress. It demands vigilance and constant attention to the possibilities for efficiencies by all parties. Three examples from my experience of the last 2 years are the Air Force Space Fence and Navy AMDR programs, the USMD Gator radar and the Air Force 3DLR program, and the Marine Corps and Army light tactical vehicle programs. In each case, I have initiated or supported efforts to eliminate redundancy at system or component levels. This is largely a matter of consistent and continuous management attention, particularly as new programs

and projects are proposed for initiation. If confirmed, I will continue the effort to identify opportunities for commonality within and across portfolios and I will insist that the Services do the same.

*Question.* Are there any elements of the Better Buying Power initiative with which you disagree and which you intend to modify materially or discontinue?

Answer. The short answer is no, however the Better Buying Power initiatives are not static. They are under continuous review and will be modified and added to as the Department learns more from its experience with the initiatives. I recently conducted a review of the progress on the original initiatives at the Business Senior Integration Group, the body I chair that oversees and reviews the Department's progress improving the acquisition systems performance overall. While at this time I do not intend to materially modify or discontinue parts of Better Buying Power, I am committed to reviewing all aspects of the initiative to determine if they are working as intended or not. This is a results oriented initiative and if confirmed, I will discontinue efforts if I determine they are not adding value or if the management resources needed for implementation can be used more effectively elsewhere.

CONTRACTING FOR SERVICES

*Question.* By most estimates, the Department now spends more for the purchase of services than it does for products (including major weapon systems). After a decade of rapid growth, section 808 of the NDAA for Fiscal Year 2012 placed a cap on DOD spending for contract services.

Do you believe that DOD can do more to reduce spending on contract services?

Answer. Yes. I am working aggressively to improve our tradecraft in services acquisition and will continue to examine our requirements for services and the ways services are acquired to ensure that the Department acquires only what is truly needed and does so as efficiently as possible.

*Question.* Do you believe that the current balance between government employees (military and civilian) and contractor employees is in the best interests of DOD?

Answer. I believe the balance is roughly in alignment, but that there is likely room for improvement, particularly on a local level. The Department greatly values the contributions made by private sector firms and recognizes that the private sector is, and will continue to be, a vital source of expertise, innovation, and support to the Department's Total Force. However, I believe the Department must constantly assess the mix and ensure that our utilization of contracted support is appropriate given the nature of the mission and work, the risks associated with contractor performance and reliance, and the need to ensure continuity of operations.

*Question.* What steps if any would you take, if confirmed, to control the Department's spending on contract services and ensure that the Department complies with the requirements of section 808?

Answer. If confirmed, I will continue to work with the Department's senior leadership to manage the Department's spending on contract services. It is my understanding that the Department is refining the control mechanisms and procedural guidance to ensure compliance with the requirements of section 808 of the NDAA for Fiscal Year 2012, which limits the amount of funds the Department may obligate for contract services in fiscal years 2012 and 2013. The directed reductions in staff augmentation contracts in section 808 are consistent with the actions initiated by then Secretary Gates in 2010 and are underway. The requirement in section 808 to reduce by 10 percent funding for contracts for functions that are closely associated with inherently governmental functions presents challenges because most of the Department's components have not historically created a record of the amount of funding allocated to contracts for functions that are closely associated with inherently governmental functions. Therefore, these components do not have an accurate baseline amount from which to project the targeted reduction. If confirmed, I will work with all components to manage this work appropriately.

*Question.* Section 812 of the NDAA for 2007 required DOD to develop a management structure for the procurement of contract services. Sections 807 and 808 of the NDAA for Fiscal Year 2008 (subsequently codified in section 2330a of title 10, U.S.C.) require DOD to develop inventories and conduct management reviews of contracts for services.

Do you believe the Department is providing appropriate stewardship over service contracts?

Answer. I believe that the Department is improving the quality of the stewardship it maintains over service contracts but there remains room for further improvement. One of the principal focuses of the Better Buying Power initiatives Dr. Carter and I initiated is to improve the Department's tradecraft in managing service contracts. I have been working to increase the effort in this area, and recently reviewed the

efforts underway in each Military Department. Progress is being made, but much more can be done. I believe that effective stewardship requires proactive engagement from senior leaders at operational and strategic levels of the Department to manage these contracts and if confirmed I will continue to work to provide that leadership at my level.

*Question.* Do you believe that the Department has appropriate management structures in place to oversee the expenditure of more than $150 billion a year for contract services?

Answer. In general yes, but I also believe they can be strengthened and expanded upon. Under Dr. Carter and my direction, each Military Department was required to appoint a senior manager responsible for oversight of all contracted services. This structure is now being expanded to cover each of the major types of services the Department acquires. If confirmed, I will continue to work toward an enterprise-wide, structured program to enable sound business practices and decisions about how to fulfill service contract requirements. Foundational to the success of these structures will be the effectiveness of the front-end process to review and validate requirements for services (as required by section 863 of the NDAA for Fiscal Year 2011).

*Question.* Do you support the use of management reviews, or peer reviews, of major service contracts to identify "best practices" and develop lessons learned?

Answer. Yes. I fully support the use of peer reviews on major service contracts to identify best practices and lessons learned. The practice of conducting peer reviews on the Department's major service contracts is well engrained in our process and the Department has derived significant benefit from this initiative. The requirement to conduct peer reviews has been institutionalized in Department of Defense Instruction 5000.02. Recently, I have directed my staff to develop a stand-alone DOD instruction to govern the acquisition of services. If confirmed, I will continue to emphasize best practices in the management of contracted services.

*Question.* If confirmed, will you fully comply with the requirement of section 2330a, to develop an inventory of services performed by contractors comparable to the inventories of services performed by Federal employees that are already prepared pursuant to the Federal Acquisition Inventory Reform (FAIR) Act?

Answer. Yes. The Under Secretary for Personnel and Readiness and the staff in AT&L will compile inventories prepared by the Military Departments and defense agencies and publish the Department's fourth inventory of contracts for services later this year. Following the inventory submission, each department and agency will complete a review of its inventory within 90 days in accordance with the considerations at paragraph (e), section 2330a of title 10.

*Question.* Section 863 of the NDAA for Fiscal Year 2011 requires DOD to establish a process for identifying, assessing, reviewing, and validating requirements for the acquisition of contract services.

What is the status of the Department's efforts to implement the requirements of section 863?

Answer. Over the past several months, the Director of Defense Procurement and Acquisition Policy has been engaged with the Senior Service Managers from the Military Departments and the defense agencies to understand optimal approaches to implementing this requirement. The Department has issued guidance to the Military Departments and the defense agencies that reiterates the requirements of section 863 and requires them to submit their processes and initial implementation plans to the Director of Defense Procurement and Acquisition Policy, not later than 30 days after receipt of the memorandum.

*Question.* What steps remain to be taken, and what schedule has the Department established for taking these steps?

Answer. Once the required plans are provided to the Director of Defense Procurement and Acquisition Policy on the AT&L staff by the Military Departments and components, the AT&L staff will work with them to ensure that these plans are effective and are implemented. The Department at this point is taking a somewhat decentralized approach to implementing section 863 because of the substantial differences in Military Department and component structures and information management tools. If confirmed, I will review the effectiveness of the initial implementation of this requirement to determine whether or not stronger mechanisms should be put in place.

*Question.* What additional steps if any would you take, if confirmed, to improve the Department's management of its contracts for services?

Answer. If confirmed, I will continue to make the improved management of contract services a high priority. Recently, I convened a 2-day meeting of a select group of senior leaders, including the acquisition executives from the Military Departments. The purpose of the meeting was to flesh out required actions to support our objectives for the current calendar year. One of the eight areas discussed in depth

was the need to improve our proactive management of services. Specific actions coming out of this session included: deployment of tools to generate quality contract performance work statements that clearly articulate requirements for services, deployment of tools to facilitate meaningful market research tailored for service requirements, establishment of a functional integrated product team unique for services to address the training needs of personnel (within or outside the defense acquisition workforce) who are tasked to manage and oversee individual service contracts, and a decision to formalize the program management function in the services arena. If confirmed, I will work to implement these steps and continue to look for additional ways to improve the Department's performance in managing contracts for services.

CONTRACTOR PERFORMANCE OF CRITICAL GOVERNMENTAL FUNCTIONS

*Question.* Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by Government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees.

In your view, has DOD become too reliant on contractors to support the basic functions of the Department?

Answer. Not in general, but I believe this is an area that requires continuous attention, particularly in a time of declining budgets. The appropriate balance between organic government performance and reliance on contractors is something that must be assessed function by function. Many functions are appropriate for contractor support; however, some functions, such as conducting military operations, establishing government requirements, determining acquisition strategies, conducting source selection, and program management, are more appropriately performed by government personnel because they are inherently governmental or close to inherently governmental and should not be performed by contractors. One area where the government's organic capacity had been allowed to decline so that needed work was either not performed or shifted to contractor support is the area of acquisition management. Over the last few years, the Department has been able to make significant gains in in-sourcing more of this work, particularly in engineering and program management. As a result, and with the committee's assistance, the Department has significantly strengthened the acquisition workforce. If confirmed, I will continue to assess the issue of appropriate use of contractors across the Department to determine whether and where DOD's reliance on contractors may have become excessive.

*Question.* Do you believe that the current extensive use of personal services contracts is in the best interest of DOD?

Answer. I believe the personal services contracts the Department has established in accordance with the applicable statutes to acquire, for example, medical providers are in the best interest of the Department. I am however concerned about the risk and potential that some of our non-personal contracts may inappropriately evolve into personal service arrangements, particularly those that utilize contractors to perform work that is closely associated with inherently governmental functions. Last year, the DFARS was amended to provide guidance that enables Department officials to more effectively distinguish between personal services and non-personal services and to ensure that procedures are adopted to prevent contracts from being awarded or administered as unauthorized personal services contracts. If confirmed, I will continue to enforce the limits on use of personal service contracts.

*Question.* What is your view of the appropriate applicability of personal conflict of interest standards and other ethics requirements to contractor employees who perform functions similar to those performed by Government employees?

Answer. In my opinion, contractor employees who directly support Government employees, and may have access to similar business sensitive or source selection sensitive information, should be subject to similar ethical standards as the Government employees they support. It is important that such contractor employees not be allowed to profit personally from the information that may be available to them because of their performance under a DOD contract.

*Question.* U.S. military operations in Iraq and Afghanistan have relied on contractor support to a greater degree than any previous U.S. military operations. According to widely published reports, the number of U.S. contractor employees in Afghanistan is roughly equal to the number of U.S. military deployed in that country.

Do you believe that DOD has become too dependent on contractor support for military operations?

Answer. Not at this point. In the long-term counter-insurgency environments in which the Department has used them so extensively, contractors have been necessary to performance of the mission. The Department has gone through a painful multiyear process of learning how to manage contractors effectively in the area of operations. This process isn't over yet, but a great deal of progress has been made. Contractors provide a broad range of supplies, services, and critical logistics support. They serve as force multipliers, performing non-inherently governmental functions and allowing limited military resources to focus on what they are trained to do. The Department continually assesses implications with respect to force size and mix, contract support integration, planning, and resourcing.

Based on our experience in Iraq and Afghanistan, I believe the Department should continue to improve and evolve our strategy regarding the use and management of contractors. At this time, I do not believe the Department is too dependent on contractors, but I believe there is still room for improvement in our management of contractors supporting ongoing operations.

*Question.* What risks do you see in the Department's reliance on such contractor support? What steps do you believe the Department should take to mitigate such risk?

Answer. I believe the risks associated with a large reliance on contractor support include: possible loss of those services for future contingencies and in changed operational environments, the performance of inherently governmental functions by contractors, the Department losing critical core knowledge and capability, and the risk of losing the expertise and structure for contingency contract management that was created over the last several years. The Department continues to conduct assessments of the risks associated with reliance on contracted support in contingency operations and is working to ensure they are mitigated. The Department mitigates that risk by ensuring contractor support estimates are integrated into existing planning processes and procedures, and through consideration of operational contract support requirements in force planning scenario development and joint force assessments.

*Question.* Do you believe the Department is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. In general yes, but as in other areas there is room for improvement. At the start of our conflicts in Iraq and Afghanistan, the Department was not properly organized and staffed to manage contractors in the ongoing contingency operations effectively. This isn't surprising, as neither the long conflicts nor the need to rely on contractors were anticipated. A number of corrective actions have been taken over the last several years. The Department has matured these capabilities and now has in place a functioning governance body that synchronizes efforts with the Joint Staff, the Services, and other Department staff and agencies to ensure processes and policy are in place to oversee contracted support in contingency operations effectively. The Department continues to revise policies to incorporate lessons learned and emerging legislative requirements, assess planning capability requirements, and update business systems to improve capabilities. If confirmed, I will continue to oversee ongoing efforts to improve the Department's performance and to ensure DOD institutionalizes its contingency contracting and operational contract support capabilities and applies lessons learned from our experiences in Iraq and Afghanistan to future conflicts.

*Question.* What steps if any do you believe the Department should take to improve its management of contractors on the battlefield?

Answer. For ongoing operations, I believe work must continue to implement and enforce the policies that have been put in place over the last few years and to strengthen them where needed. One area that needs strengthening is the enforcement of anti-corruption measures and of the ability to prevent contract funds from ending up in the hands of our enemies. I support the efforts of Congress and members of the SASC to add to the tools available to the Department in this area. Looking ahead to a time when the current contingency has ended, the Department needs to ensure: (1) training and contingency plans account realistically for the role of contractors on the battlefield; (2) adequate numbers of contracting officers, contracting officer representatives, and other skilled personnel will be available to manage contractors; (3) transparency of contractor and subcontractor performance is provided for; (4) measures remain in place for the prevention of waste, fraud, abuse, and corruption; and (5) continued effective coordination with other Departments and agencies.

WARTIME CONTRACTING

*Question.* Section 804 of the NDAA for Fiscal Year 2011 requires the Department to establish procedures to ensure that rapid acquisition processes are not misused for the acquisition of systems and capabilities that are not urgent and would be more appropriately acquired in accordance with normal acquisition procedures.

What is the status of the Department's efforts to implement the requirements of section 804?

Answer. Pursuant to section 804 of the 2011 NDAA, the Department conducted a review of the Department's rapid processes and is developing policy in response to its findings and recommendations. Primary among these was the need for improved management oversight of the Department's urgent needs processes. The Secretary therefore issued Directive-Type Memorandum (DTM) 11–006, "Establishment of the Senior Integration Group (SIG) for the Resolution of Joint Urgent Operational Needs (JUONs)," June 14, 2011, which defined the responsibilities of the many DOD components to include the Office of the Secretary of Defense, the Joint Chiefs of Staff, the Military Departments, and other components. In January, the Chairman of the Joint Chiefs of Staff issued CJCSI 3170.01H, "Joint Capabilities Integration and Development System" which established processes for identifying, assessing, validating, and prioritizing joint military capability requirements, including Urgent Operational Needs (UONs), Joint Urgent Operational Needs (JUONs), and Joint Emergent Operational Needs (JEONs). Additional policy is under development to address the remaining findings to include the requirement to discriminate clearly those urgent requirements appropriate to be resolved through our rapid acquisition processes rather than the traditional acquisition process. This policy will be included in a revision to the DOD Instruction 5000.02 "Operation of the Defense Acquisition System" which is currently in staffing.

*Question.* Do you agree that rapid acquisition procedures are not generally suited to the acquisition of complex systems that require substantial development effort, are based on technologies that are unproven, and are too risky to be acquired under fixed-price contracts?

Answer. In general, yes. There may be rare cases however, such as when technological surprise is achieved by a potential adversary, that the risks associated with rapid acquisition procedures are justified for complex systems that require substantial development. In my earlier experience during the Cold War, this did occur on at least two occasions. Also, there are cases when the fulfillment of an urgent need associated with an ongoing conflict can only be met by pursuing a complex new technology that entails significant risk. Even if the time needed to develop and field the needed solution exceeds the expected duration of the conflict, it may still be the right decision to proceed with a rapid acquisition process. Wars often do not end on one side's schedule. In both Operation Iraqi Freedom and Operation Enduring Freedom, the department fielded solutions ranging from airborne ISR and communications relays to ground based mine rollers to satisfy urgent needs across the spectrum of complexity and technical maturity. Contracting strategies for our rapid acquisition efforts are guided by the existing Federal Acquisition Regulation, which encourages our acquisition officials to use the contract type that represents the best value, in terms of both risk and schedule, to the benefit of the government. In all cases, the decision to embark upon a rapid acquisition effort should be based on the determination by the decision authority that the strategy represents an appropriate balance of risk between operational and acquisition considerations.

*Question.* Section 848 of the NDAA for Fiscal Year 2011 and section 820 of the NDAA for Fiscal Year 2012 establish planning requirements for contractor logistics support.

What is the status of the Department's efforts to implement the requirements of section 848 and section 820?

Answer. Section 848 provisions in the NDAA for Fiscal Year 2011 provided the necessary charter for a Defense Science Board Study on DOD organization, doctrine, training, and planning for contractor logistics support of contingency operations. I am establishing a task force to meet all of the requisite elements identified in the NDAA language pertaining to this matter. My intent is for the task force to cover all aspects of the contractor logistics support to contingency operations throughout the Department, to include reviewing previous findings and recommendations related to legislative or policy guidance. Implementation of this task force was delayed because some of the questions the task force was required to address had serious conflict of interest implications that had to be mitigated and this took longer than expected. With respect to our implementation of Section 820 of the NDAA for Fiscal Year 2012, I have worked closely with The Under Secretary of Defense for Policy and the Joint Staff to incorporate requirements determination and Operational Con-

tract Support (OCS) into the Department's strategic planning documents. If confirmed, I will continue to support inclusion of OCS as strategic guidance is revised.

*Question.* What additional steps do you believe the Department needs to take to improve its planning processes for the use of contractors in contingency operations?

Answer. I believe that it is critical to ensure adequate and appropriate planning for contractor support in all planning for contingency operations. The Department is integrating contractor support estimates into existing planning processes and procedures, and ensuring that Operational Contract Support requirements are considered in force planning scenario development and joint force assessments. If confirmed, I will continue to monitor these initiatives closely to ensure they are carried out.

*Question.* What is the status of the Department's efforts to implement the requirements of sections 841 and 842?

Answer. The Defense Procurement and Acquisition Policy Director implemented Sections 841 and 842 on January 26, 2012 via the Class Deviation (No. 2012–O0005). Effective immediately, this Class Deviation mandates contracting officers to incorporate this provision in all contracts that will be awarded on or before December 31, 2014 and to modify existing contracts to the maximum extent practicable.

*Question.* What additional steps do you believe the Department needs to take to avoid contracting with the enemy in Afghanistan?

Answer. The Department primarily needs to continue the forceful implementation and enforcement of the measures it has already put in place or is considering. The Department has instituted many initiatives to improve accountability and oversight of contracts awarded to local firms in Afghanistan and to prevent flow of U.S. funds to the enemy. One such initiative is the U.S. Central Command's "Vendor Vetting" process of all non-U.S. vendors prior to contract award to ensure U.S. funds do not support or finance insurgent, foreign intelligence capabilities and to reduce the risk of insider threats to the U.S. Forces. Another such initiative is at General Petraeus' request to establish the U.S. Government Acquisition Accountability Office for Afghanistan (AAOA). The impetus of this initiative is the threat posed by corruption to the ISAF/Embassy/NATO mission that can alter the social and political dynamics and fuel local powerbrokers. If confirmed, I will continue to emphasize the importance of avoiding contracting with the enemy in Afghanistan.

*Question.* Does the Department need additional tools for this purpose?

Answer. I believe sections 841 and 842 have provided the Department the statutory authority needed to prevent flow of U.S. funds to the enemy. If I am confirmed, I will continue the effort to identify and to pursue other tools that will assist in preventing flow of U.S. funds to the enemy in Afghanistan.

*Question.* In August 2011, the Commission on Wartime Contracting in Iraq and Afghanistan issued its final report. The report included numerous recommendations, including recommendations for reducing the Government's over-reliance on contractors in contingency operations; making organizational changes to provide greater focus on contingency contracting; providing additional staffing and resources for contingency contracting; and tightening contracting policies to address deficiencies in past performance databases, suspension and debarment procedures, government access to contractor records.

What is your view of the Commission's recommendations?

Answer. In general, I agree with the Commission's recommendations, particularly those that apply to DOD. The Department worked closely with the Commission throughout its existence and benefited from its interim and final recommendations. I appreciate and welcome the Commission's efforts to assist the Department in eliminating waste, fraud and abuse in wartime contracting. In March 2010, the Under Secretary of Defense for Acquisition, Technology and Logistics created a permanent board to provide strategic leadership to the multiple stakeholders working to institutionalize operational contract support and to track accepted Commission recommendations to completion. As a result of these steps, a great majority of the Commission's final recommendations have already been acted upon. If confirmed, I will continue this office's focus on implementing these improvements.

*Question.* Are there any of the Commission's recommendations which you believe DOD should not implement? If so, why not?

Answer. I agree in principle with all 11 of the DOD-specific recommendations. But I am concerned about the Commission's tactical approach in one area: Recommendation 6 suggested changes within the Under Secretary of Defense for Acquisition, Technology and Logistics regarding civilian officials responsible for contingency contracting. I believe two separate organizations for two key functional communities (contracting and logistics), rather than a single organization as the Commission envisioned, best supports the AT&L mission. Those two organizations are Program Support under our Assistant Secretary of Defense for Logistics and Material Readi-

ness, and the Contingency Contracting Office under our Director for Defense Procurement and Acquisition Policy. If confirmed, I will continue to work closely with both organizations to ensure accountability and leadership focus on operational contract support and contingency contracting.

*Question.* Section 844 of the NDAA for Fiscal Year 2012 requires DOD to implement a commission recommendation by establishing annual competition goals for contingency contracts.

Do you agree that sole-source contracting, while it may be necessary in the early stages of a contingency operation, should be phased out as quickly as possible thereafter?

Answer. Yes. I believe promoting competition is an important Departmental focus area. Competition in a mature military operation such as Operation Enduring Freedom is a key means of obtaining the best business deal for the warfighter. But the long-held flexibility provided by statutory exceptions to competition is instrumental in assisting the forces, particularly in obtaining urgent requirements as they begin military operation. I believe it is in the best interest of the government to compete requirements as soon as practicable. If confirmed, I will continue to emphasize the importance of competition in getting the best business deals for our taxpayers.

*Question.* What is the status of the Department's efforts to implement the requirements of section 844?

Answer. The Defense Procurement and Acquisition Policy Director established the contingency competition goals required by section 844 on February 17, 2012. In addition, this event was used as an opportunity to improve transparency into contingency competition data. If confirmed, I will continue to emphasize transparency and competition in contracting.

*Question.* Are there additional steps that the Department should take to reduce its reliance on sole-source contracts in contingency operations?

Answer. Although the competition rate in Iraq and Afghanistan has generally been well over 80 percent, I believe the Department should look for opportunities to do even better. With the recent initiative to improve transparency into contingency competition data through a unique code in the Federal Procurement Data System for Operation Enduring Freedom, the Department expects to gain additional insights into opportunities for increased competition. If confirmed, I intend to monitor this area closely to ensure competitive procedures are effectively implemented and used whenever possible.

*Question.* Section 806 of the NDAA for Fiscal Year 2012 requires DOD to implement a commission recommendation to improve the operation of its past performance databases.

What is the status of the Department's efforts to implement the requirements of section 806?

Answer. I believe that more effective use of past performance data bases is needed in general, not just in contingency contracting. There are actually two ongoing efforts to implement section 806, "Inclusion of Data on Contractor Performance in Past Performance Databases for source selection decisions." The first is a DOD, GSA, and NASA proposed change to the Federal Acquisition Regulation to provide Government-wide standardized past performance evaluation factors and performance rating categories and require that all past performance information be entered into the Contractor Performance Assessment Reporting System (CPARS). The proposed rule responds to the requirements of section 806 to: (1) establish standards for the timeliness and completeness of past performance submissions; and (2) assign responsibility and management accountability for the completeness of past performance submissions for such purposes. At the present time, the proposed rule is in final drafting. The second is a Defense Acquisition Regulation Council proposed rule currently in drafting that will address the requirements of section 806 with regard to the statutory notification and transfer requirements to send the contractor assessment to the Past Performance Information and Retrieval System (PPIRS) after the 14 day period established.

*Question.* What additional steps will you take, if confirmed, to improve the Department's use of past performance data in the award of new contracts?

Answer. I believe that it is critical that the Department have up-to-date and accurate information about defense contractors in source selections for new awards. The Federal Acquisition Regulation (FAR) already requires that a contractor's past performance be evaluated in all source selections for negotiated competitive acquisitions expected to exceed the simplified acquisition threshold. It has been a challenge to ensure that past performance data is entered into the Contractor Performance Assessment Reporting System (CPARS). I recently wrote to all the defense components stressing the importance of not only completing assessments in a timely manner but also including quality supporting narratives with the ratings. These assess-

ments are a shared responsibility between the program manager team and the contracting officer and the acquisition chain of command must continue the effort to ensure compliance. If confirmed I will continue to emphasize the importance of past performance and to hold the chain of command responsible.

PRIVATE SECURITY CONTRACTORS

*Question.* In 2010, the Armed Services Committee reviewed DOD's use of private security contractors in Afghanistan and identified numerous problems, including a lack of oversight, failure to comply with existing statutory and regulatory requirements, and improper qualification and vetting of security contractor personnel. Section 831 of the NDAA for Fiscal Year 2011 established new oversight and accountability requirements for contractors performing private security functions in an area of combat operations. Section 833 of that Act required the establishment of standards and certification requirements for private security contractors. In 2011, the Commission on Wartime Contracting recommended that DOD and other Federal agencies significantly reduce their reliance on private security contractors.

What is your view of the recommendations of the Commission on Wartime Contracting regarding the use of private security contractors?

Answer. I generally agree with the observations and recommendations of the Commission on Wartime Contracting, including those on private security contracting. The Department recognized many of these problem areas independently of the Commission's work and began Department-level regulatory initiatives to address them as soon as the Department was aware of them. These initiatives include revisions to the Federal Acquisition Regulation and the Defense supplement to that regulation, the publication of a new rule governing private security contractors under title 32 of the U.S.C., and implementation instructions for operational contractor support and for Private Security Contractors (PSC) in particular. These efforts establish clear policy for the use of PSCs in contingencies and similar operations and address issues such as background screening and vetting, registration, reporting, and determining those situations when PSCs may and may not be used. Following the legislative guidance provided by Congress in the 2008 and 2011 NDAAs, these rules apply to all U.S. Government agencies contracting for security services in areas of combat or other significant military operations, not just to Defense Department contracts, and are codified in the Code of Federal Regulations (CFR). The standards and certification requirements for PSCs, developed pursuant to section 833 of the 2011 NDAA, will provide additional controls and accountability over private security contractors. Since this will be a commercial standard, it can be used by the U.S. Agency for International Development (USAID) implementing partners, other governments, and private sector users of PSC services, and therefore offers the potential to raise the level of performance of all security contractors, not just those of DOD.

*Question.* Do you believe DOD and other Federal agencies should reduce their reliance on contractors to perform security functions that may reasonably be expected to require the use of deadly force in highly hazardous public areas in an area of combat operations?

Answer. I believe that any use of PSCs must be carefully considered against the risk of becoming involved in combat operations, of causing inadvertent harm to the civilian population, and of damaging the performance of the mission. In counterinsurgency and counterterrorism operations, without clear lines of battle or safe areas, the military troops or police that might be needed to protect all of the logistics, installation and personnel needing protection (including relief, recovery, and development activities that are conducted simultaneously with combat operations) can easily be prohibitive. PSCs may be the only practical solution. When it is appropriate and necessary to use PSCs, these security contractors must be properly regulated and supervised to ensure that the services are being performed competently and within well-defined limitations. Under these circumstances, I believe that the use of security contractors in contingency operations is acceptable and I believe that current levels are consistent with this approach.

*Question.* What steps if any would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat operations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?

Answer. If confirmed, I will continue to support the efforts already begun within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics, in the Military Services, and in the combatant commands and with other agencies and internationally. These efforts include development of Department-level policy, coordinating this policy with the Departments of State and Justice and other

Government agencies, and engaging the international community to provide a common framework for the proper roles and oversight of private security contractors and the enforcement of those policies during overseas operations by the appropriate authorities. I will continue the work to implement fully the recently published provision in title 32 of the U.S.C. that applies to private security contractors working for all Federal agencies operating in overseas operations, consistent with DODI 3020.50. I believe that additional work remains to be done to ensure that DOD instructions and combatant commander guidance and orders remain current, clear, and aligned with U.S. defense and foreign policy objectives. The imminent publication of the business and operational standards required by section 833 of the 2011 NDAA will improve the standards of performance for all PSCs. These standards will be available for use by other U.S. Government agencies and anyone who contracts for PSC services. Collaboration among DOD, the Department of State, and other governmental agencies must continue. This will ensure consistent policy is developed across the Federal Government with potential coalition partners and host nations, promoting a common interagency and international understanding of responsible use and oversight of private security services. Collective collaboration will also result in the use of binding and enforceable standards for private security contractors.

SOCOM ACQUISITION AUTHORITIES

*Question.* U.S. Special Operations Command (SOCOM) is unique within DOD as the only unified command with acquisition authorities and funding. Further, the Commander of SOCOM is the only uniformed commander with a subordinate senior acquisition executive.

Would you recommend any changes to SOCOM's current acquisition authorities?

Answer. No. I believe that SOCOM currently has appropriate acquisition authorities. If confirmed, I will continue to meet periodically with the Commander, SOCOM and the SOCOM Acquisition Executive to discuss opportunities to improve acquisition efficiency and effectiveness.

*Question.* What role do you believe SOCOM's development and acquisition activities should play in broader Service and DOD efforts?

Answer. I believe that SOCOM's activities should continue to be coordinated with those of the broader Department acquisition system to achieve synergies, avoid duplication, control cost, and identify best practices that can be used more widely. The Department should always seek the broadest benefit and application of its development and acquisition activities, including those activities sponsored or led by SOCOM.

*Question.* If confirmed, how would you ensure that special operations capabilities and requirements are integrated into overall DOD research, development, and acquisition programs?

Answer. Approximately 18 months ago, Dr. Carter and I instituted a "SOCOM Acquisition Summit" that meets every 6 months to coordinate and integrate SOCOM's activities with the rest of the Department. These meetings have been very beneficial to both SOCOM and the Department, and if confirmed I will continue to hold them and use them as a catalyst to improve the Department's efficiency and effectiveness and to ensure SOCOM's acquisition needs are understood and are being met. If confirmed, I will continue to work with SOCOM, the Services, and defense agencies to improve their collaboration efforts in order to achieve the most efficient allocation of the Department's research, development, and acquisition resources.

CONTRACTING METHODS

*Question.* In recent years, DOD has relied heavily on time-and-materials contracts for the acquisition of services. Under such a contract, the Department pays a set rate per hour for contractor services, rather than paying for specific tasks to be performed. In some cases, contractors have substituted less expensive labor under time-and-materials contracts, while continuing to charge Federal agencies the same hourly rates, resulting in effective contractor profits of 25 percent or more.

What is your view of the appropriate use of time-and-materials contracts by DOD?

Answer. I believe that time-and-materials (T&M) contracts are the least desirable contract type because they provide no positive incentive for cost control or labor efficiency. There are circumstances when the use of T&M contracts is appropriate such as situations requiring emergency repairs or immediate disaster response, but when used, the conditions that supported the decision to use them must be documented. A T&M contract might be appropriate when commercial services that are commonly provided in this way are not reasonably available by other contracting approaches. Legal services could fall into this category, for example. The Better Buying Power

memorandum of September 14, 2010 includes direction to move away from T&M contracts for services and move toward Cost Plus Fixed Fee or Cost Plus Incentive arrangements when robust competition or recent competitive pricing history does not exist to provide the ability to firm fix price the effort.

*Question.* What steps if any do you believe the Department should take to minimize the abuse of time-and-materials contracts?

Answer. The Department has already taken steps to minimize the use of T&M contracts. Their use is questioned in all peer reviews and during the review of service acquisition strategies. T&M awards within the Department have decreased by 49 percent since 2009, down from 5,505 in 2009 to 2,836 in 2011, a reflection of the direction in the Better Buying Power memorandum of 2010. As recently as early February, the Federal Acquisition Regulation was revised to ensure that T&M contracts are used to acquire commercial services only when no other contract type is suitable and to instill discipline in the determination of contract type with the view toward managing risk to the Government.

*Question.* Section 852 of the John Warner NDAA for Fiscal Year 2007 requires DOD to promulgate regulations prohibiting excessive "pass-through" charges on DOD contracts. Pass-through charges are charges added by a contractor for overhead and profit on work performed by one of its subcontractors, to which the contractor provided no added value. In some cases, pass-through charges have more than doubled the cost of services provided to DOD.

What is your view of the regulations promulgated by DOD to implement the requirements of section 852?

Answer. The Department has made several changes to the FAR and DFARS to implement the requirements of section 852 in the last few years. FAR 52.215–22—Limitations on Pass-Through Charges—Identification of Subcontract Effort (Oct. 2009) requires contracting officers to review contractor proposals, before agreeing to a price, to verify that the contractor's efforts add value where there is significant subcontracting and to ensure there are no excessive pass-through charges. After contract award, contracting officers can recover excessive pass-through charges and reduce the contract price. FAR 52.215–23—Limitations on Pass-Through Charges (Oct. 2009) requires contractors to notify the Contracting officer if 70 percent of the total cost of work to be performed is intended to be subcontracted or reaches this level during the performance of the contract. The contractor must then provide documentation to describe their value added, indirect costs and profit/fee applicable to the work performed by the subcontractor(s). This requirement flows-down to the lower-tier subcontractors as well. Additional changes include FAR 31.2 which entitles the government to a price reduction for excessive pass through charges and FAR 52.215–2 provides the right for the government to examine the contractor's records. I believe these regulations are an important step in addressing pass-through charges, but they will only be effective if they are implemented by experienced program and contract management professionals.

*Question.* What additional steps if any do you believe the Department should take to address the problem of excessive pass-through charges?

Answer. In addition to implementing the requirements of section 852, the Department is taking steps through two Better Buying Power initiatives to address this issue. If confirmed, I will continue to implement those steps. The first is to address the issue of excessive pass-through charges as an element of to be considered in determining pricing arrangements in contracting, particularly sole-source contracting. Effective supply chain management is one of the services the Department expects from its prime contractors and the Department should structure its business arrangements to reward superior performance, particularly price reduction, in this area. Conversely, where a prime contractor is not providing value added, as in the acquisition of a commodity, the premium the Department pays for supply chain management should be very limited. This is an element of the Department's peer reviews of pending acquisitions. Pre-award peer reviews of non-competitive actions have placed special emphasis on the need to align contractor profitability to performance and avoid blanket profit levels. The second Better Buying Power initiative that applies here is the use of "should cost" review. These reviews are conducted by Program Managers to identify opportunities for cost reduction and can result in changes to acquisition strategies including break out of components from primes for direct acquisition by the government and more effective negotiations of total price. Another step that the Department is in the process of taking is to implement a final DFARS rule on the use of a Proposal Adequacy Checklist, which will also provide guidance in the review of proposals to prevent excessive-pass through charges.

INTERAGENCY CONTRACTING

*Question.* What is your assessment of the risks and benefits associated with DOD's continued extensive use of interagency contracts?

Answer. The decision to utilize interagency contracts to meet Department requirements is essentially a business decision that should take many factors into account. When done properly, interagency contracts can be an efficient and effective method of meeting important requirements. While often convenient, however, interagency contracts can be used to avoid oversight and the control mechanisms associated with sound management. I believe the practice does have utility, but must be carefully monitored to ensure it is not abused.

*Question.* Do you believe additional authority or measures are needed to hold DOD or other agency personnel accountable for their use of interagency contracts?

Answer. I do not have any information that would suggest that existing statute, regulation, and policy are insufficient with regard to accountability and the proper use of interagency contracts if properly implemented. If confirmed, I would be open to considering such measures if the need became apparent.

*Question.* Do you believe contractors have any responsibility for assuring that the work requested by DOD personnel is within the scope of their contract?

Answer. Yes, however the primary responsibility for ensuring work is within the scope of a particular contract rests with the contracting officer. If the contractor believes the DOD work is outside the scope of the other agency's contract, he has a responsibility to discuss it with the other agency contracting officer.

*Question.* Do you believe that DOD's continued heavy reliance on outside agencies to award and manage contracts on its behalf is a sign that the Department has failed to adequately staff its own acquisition system?

Answer. I do not believe that the use of non-DOD agencies to award and manage contracts on behalf of the Department is generally a reflection that the Department has failed to adequately staff its own acquisition needs. Interagency acquisition can support the whole of Government approach to strategic sourcing and leveraging the buying power of the Federal Government. The Department should continue to utilize the expertise of non-DOD agencies as authorized by Congress, when it is done properly, efficiently and effectively, and is a cost effective alternative to direct DOD management.

ALASKA NATIVE CORPORATIONS

*Question.* Over the last few years, there have been a number of reported abuses involving defense contracts awarded to Alaska Native Corporations (ANCs) under Section 8(a) of the Small Business Act. Section 811 of the NDAA for Fiscal Year 2010 required that sole-source awards to ANCs in excess of $20 million be subject to the same "justification and approval" applicable to other large sole-source contracts.

What is your understanding of the status of the Department's implementation of section 811?

Answer. DOD implemented the interim rule regarding section 811, immediately upon its publication on March 16, 2011 and provided guidance to the DOD acquisition community.

*Question.* If you are confirmed, what additional steps if any would you take to address abuses of the 8(a) program?

Answer. If confirmed, I will continue to ensure that the acquisition community monitors 8(a) acquisitions for potential abuses and that DOD addresses reported abuses as they arise.

*Question.* In one reported case, Army Corps of Engineers officials allegedly conspired with a subcontractor allegedly to rig a bid by stacking the source selection board to favor a particular bidder.

Are you comfortable that the Department has effective controls in place to prevent the "stacking" or manipulation of source selection boards?

Answer. On the whole, I believe this type of activity is exceedingly rare, but it can occur and must be vigorously guarded against. I believe that even the perception that activities like this may have occurred is extremely damaging to the credibility of the acquisition system. When conducting competitively negotiated source selections within the Department, compliance with statutory and regulatory requirements is absolutely required. Those requirements include fairness and objectivity in source selection as a fundamental value that is central to an effective system. I believe there are adequate controls in place, but that constant reinforcement of the importance of following the rules with regard to fair and objective source selection is a continuing responsibility of every individual working in the acquisition system.

*Question.* Are you comfortable that effective controls are currently in place to prevent the "stacking" or manipulation of source selection boards on acquisitions with a total estimated value of less than $100,000,000, where the Procurement Contracting Officer may also serve as the Source Selection Authority, responsible for appointing the chairperson of the Source Selection Evaluation Board?

Answer. Yes, the Services and agencies have strong warranting programs and require annual ethics training. I am aware, however, of a recent allegation that a contracting officer may have "stacked" a source selection panel.

*Question.* If not, what additional controls would you, if you are confirmed, put in place to help ensure that source selection boards cannot be "stacked" or otherwise manipulated to favor a particular bidder, especially on low-profile contracts of relatively small value?

Answer. If confirmed, I will direct the section 813 panel review the procedures for establishing source selection panels, especially those where the contracting officer will be the source selection authority, to ensure the existing procedures are sound.

ACQUISITION OF INFORMATION TECHNOLOGY

*Question.* Most of the Department's Major Automated Information System acquisitions are substantially over budget and behind schedule. In particular, the Department has run into unanticipated difficulties with virtually every new business system it has tried to field in the last 10 years. Section 804 of the NDAA for Fiscal Year 2010 required DOD to establish a new acquisition process for information technology.

Do you believe that unique problems in the acquisition of business systems require different acquisition strategies or approaches?

Answer. Yes, I believe there are unique characteristics associated with the acquisition of information systems that call for the use of acquisition approaches different from those normally used by the Department for acquiring weapon systems. All acquisitions should be tailored to the nature of the product being acquired. As a class, business systems are products having characteristics that tend to dictate a specific type of program structure. They can be generally characterized as products that are based on commercial information technology infrastructure and commercial software that has to be adapted, often extensively, to meet Defense Department requirements. The Department has already begun to adapt to the unique challenges of business information system acquisition through the implementation of the Business Capability Lifecycle (BCL), an acquisition approach for defense business systems that emphasizes well defined increments of capability that are developed, tested, and often fielded in increments structured around 1 to 2 year software builds. This structure will also be incorporated as one of the acquisition approaches covered by the new DODI 5000.02 which is currently in staffing.

*Question.* What steps if any do you believe DOD should take to address these problems?

Answer. The issuance of the June 23, 2011, directive requiring the use of the BCL for the acquisition process for business systems and the updates being made to the DODI 5000.02 for BCL policies and procedures are important steps forward in improving the acquisition processes. The Department has been implementing the BCL model on a case-by-case basis for approximately 2 years. It is the Department's intent that each new defense business system will begin its lifecycle under the BCL model. If confirmed I will continue to engage and direct the incremental acquisition approach to delivering capabilities, as well as engage the Department to look for opportunities whenever possible to tailor the acquisition process to further improve outcomes. If confirmed, I will also monitor the effectiveness of this approach to acquiring business systems to determine if further changes are needed.

*Question.* What steps has the Department taken to implement the requirements of section 804? What steps remain to be taken?

Answer. The Department has made steady progress in implementing several of the key approaches outlined in section 804, specifically in the areas of Acquisition, Requirements, Testing and Certification and Human Capital. On June 23, 2011, a Directive-Type Memorandum (DTM) on BCL was signed and issued by USD(AT&L). The BCL provides a framework for implementing a more flexible and streamlined process for the acquisition of these business information systems. I recently launched efforts to update DODI 5000.02 in part in order to implement some key IT acquisition reform efforts indentified in the 804 report. The departments testing community has been working in collaboration with USD(AT&L) to incorporate an integrated testing, evaluation, and certification approach into the DODI 5000.02, to reduce redundancies in system testing activities and improve the efficiency and effectiveness of testing the Department's information systems. The Joint Staff has

also initiated efforts to include more streamlined requirements management and approval process for acquisition of information systems. A comprehensive review of IT acquisition competencies is also currently being conducted by the Department's Chief Information Officer (CIO). This review will update the IT acquisition competencies to better define DOD critical skill sets and assist in the update of curricula at the Defense Acquisition University and the Information Resources Management College. We are working directly with ongoing and new start acquisition programs to drive many of the IT reform principles identified in section 804. Implementation of Business Capabilities Lifecycle (BCL) is a current focus area. The Department will use the experience and lessons learned from the "pilots/early adopters" to inform and shape the ongoing improvements and updates to policy and guidance.

*Question.* If confirmed, how would you work with the CIO of DOD to take these steps?

Answer. If confirmed, I will continue to work closely with the DOD CIO, and I will ensure the OUSD(AT&L) staff and the DOD CIO staff work collaboratively to identify and take any steps needed to improve the acquisition of information technology based capabilities. This is an important area for the Department to achieve more consistent and better outcomes given the continuing evolution of technology.

*Question.* Section 806 of the NDAA for Fiscal Year 2011 gives DOD new tools to address supply chain risk in the acquisition of information technology.

What is the status of the Department's efforts to implement the requirements of section 806?

Answer. Section 806 provides pilot authority for the Department to deny award to a vendor if USD(AT&L) determines, based on intelligence provided by the DOD CIO, that the vendor is a threat. The authorities provided by section 806 have the potential to significantly reduce risks associated with those who may have intentions to damage our systems and capabilities through the supply chain. The challenge is to exercise these authorities effectively; particularly the potential changes to source selection, debriefing and protest procedures. The DOD components and AT&L General Counsel are discussing the potential for rulemaking. Three procurement pilots have been identified.

*Question.* What additional steps do you believe the Department needs to take to address supply chain risk?

Answer. The Department's approach to addressing supply chain risk encompasses a number of efforts including use of the specific authorities of Section 806 and more recently enacted legislation. I believe the Department needs a comprehensive approach to supply chain risk. If confirmed, this will remain a high priority for me and I will work to identify additional steps to address this risk.

*Question.* Section 818 of the NDAA for Fiscal Year 2012 establishes new requirements for DOD and its contractors to detect and avoid the use of counterfeit electronic parts.

What steps has the Department taken to implement the requirements of section 818?

Answer. I have recently signed out a memorandum providing overarching guidance to the Services and Agencies. The memorandum directs specific actions, including using risk assessment for the impact of a counterfeit part, directing the purchase of mission critical items from the manufacturer's distribution chain, reporting all counterfeit incidents within the Department's supply chain to the Government Industry Data Exchange Program (GIDEP), and directing the use of existing DFAR clauses to address counterfeiting while the Department coordinates a broader anti-counterfeit DFAR case. This memorandum covers items that could potentially affect mission performance and warfighter safety, in addition to electronics parts.

*Question.* What steps remain to be taken, and what schedule has the Department established for taking these steps?

Answer. In addition to efforts to strengthen contracting clauses, establish central reporting of counterfeit incidents, and collaborate with industry on the development of counterfeit standards, the Department is taking steps to define requirements and processes for the purchase of critical items from "Trusted Suppliers". The Department is also working closely with the Department of Homeland Security on anti-counterfeit inspections, and defining rules for the reimbursement of counterfeit costs. This will lead to revisions in policies, such as the DOD Instruction 4140, the Supply Chain Materiel Management Regulations, and the development of changes to procurement regulations, including the Defense Federal Acquisition Regulation Supplement. While the definitive schedule will be based on the assessment mandated by the legislation, the Department continues its ongoing efforts to address counterfeit material in its supply chain. If confirmed, I will ensure that section 818 is implemented as expeditiously as possible.

*Question.* What additional steps do you believe the Department needs to take to address the problem of counterfeit electronic parts?

Answer. I believe the Department should explore expanded use of technology to assist in combating this threat. This includes developing tools to provide greater traceability and validation of authenticity over the components lifecycle, such as, DNA marking, unique identifiers inserted at time of manufacturing, and software methods. These steps could have a significant impact on the problem of counterfeit electronic parts, and if successful, greatly decrease the probability of counterfeit items in the DOD supply chain in the future.

*Question.* Some have argued that the current test and evaluation process does not appropriately address the unique circumstances applicable to the acquisition of information technology systems.

What steps if any do you believe the Department should take to improve the test and evaluation process for information technology systems, including their vulnerabilities in the face of a growing cybersecurity threat environment?

Answer. Information technology systems are ubiquitous but occur in several very distinct types of products: they are embedded in weapon systems, found in specialized command and control systems, and are the basis for the Department's business systems. The Department should continue to explore more efficient and effective test regimes for each of these situations. To support iterative, incremental software development, I believe the Department should move toward a more continuous integration and test approach that integrates developmental test, operational test, and certification and accreditation activities to the greatest extent practical. This approach will rely more heavily on early user involvement, use of automated testing, and continuous monitoring of deployed capabilities. An essential element of this approach is a robust pre-production cyber test environment that permits us to better understand and characterize the cyber threat, and take corrective actions prior to fielding systems. I believe that the Department still has a considerable amount of work to do in maturing this capability, building on the test-beds and laboratories that have already been established. The Report on the Acquisition and Oversight of Department of Defense Cyberspace Operations Capabilities that I recently submitted to Congress provides more detail on the steps that need to be and are being taken.

CYBERSPACE-RELATED PROCUREMENT POLICY

*Question.* DOD's new strategic guidance highlights the increasing importance of cyber operations with respect to both defensive and offensive capabilities. As a result, this is one of the few areas in which the Department is proposing to increase its investments.

What acquisition challenges do you foresee that are unique to the procurement of cyber-related capabilities?

Answer. There are a number of challenges in this area, but the greatest one is time and the need for agility. I recently submitted a report to Congress that describes the Department's new cyber acquisition management approach, which I am just beginning to implement. Cyber offense and defense products are usually far smaller in dollars than the major programs that undergo Department level oversight, but they are critical to the Department's capabilities. Cyber related products must often be developed, tested and fielded on very short timelines that keep pace with both the threat and the agility with which new technologies are created and enter the market place. The implementation challenges to acquiring cyber capabilities at the pace needed will be: (1) streamlining the acquisition framework to manage risk and accommodate the rapid timelines of information technology modernization and cyberspace operations; (2) evaluating operational performance and risk while maintaining speed of execution; (3) establishing a robust infrastructure for developing and testing cyber capabilities quickly and effectively prior to implementation; and (4) enabling timely collaboration across the Department, across the Government, and with industry to address a ubiquitous problem that will require strong collective action. If confirmed, I will continue to implement and refine this approach.

*Question.* What steps if any will you take, if confirmed, to address these unique challenges?

Answer. Section 933 of the Ike Skelton NDAA for Fiscal Year 2011 directed the Department to provide a strategy for the rapid acquisition of tools, applications, and other capabilities for cyber warfare. The Department's response to Congress, which I recently submitted, addressed many of the challenges I have described. If confirmed, I will actively oversee the Department's cyber acquisition investments in cooperation with the Under Secretary of Defense for Policy, the Vice Chairman of the Joint Chiefs of Staff, the Chief Information Officer, the Commanders of STRATCOM

and CYBERCOM, and the Services. I will also work with other agencies and with industry to address the challenge of cyber offense and defense acquisition.

ACQUISITION WORKFORCE

*Question.* Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

Do you believe that the Acquisition Workforce Development Fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. Yes. The fund supports continued strengthening of the acquisition workforce. The quality and capability of this workforce is critical to improved acquisition outcomes and achieving efficiencies.

*Question.* If confirmed, what steps will you take to ensure that the money made available through the Acquisition Workforce Fund is spent in a manner that best meets the needs of DOD and its acquisition workforce?

Answer. If confirmed, I will continue to work closely with senior acquisition leaders and the leadership of the Military Departments to ensure that only sufficient levels of funding are used and that the funding is employed to meet the Department's highest priority needs. I have directed the Military Departments to reevaluate the balance of the various acquisition professional career fields in their workforces funded through DAWDF, and if confirmed I will work to ensure the Department has an appropriate balance.

THE DEFENSE INDUSTRIAL BASE

*Question.* What is your view of the current state of the U.S. defense industry?

Answer. In concise terms; capable and healthy, but understandably nervous and cautious. The industrial base greatly is concerned about the unthinkable possibility of sequestration and the near certainty of defense budgets that will be essentially flat at best. This is a major change from the first decade of this century, and something everyone is adjusting to. The changes currently taking place, including the reduction of nearly half a trillion dollars from the planned defense budget over 10 years, with more possible even if sequestration is avoided, is of great concern to the defense industry and skilled workers that support our national defense. I believe that defense industry is a vital component of our total force structure and as such, its health is essential to our national security. The industrial base today is increasingly global, commercial, and financially complex, with significant differences in the business environment faced in different sectors and at different tiers of the supply chain. Demand for many products has been very strong in recent years, other parts of the industrial base faced low demand even during the up-cycle of defense spending. Overall, our industry produces systems that offer an unsurpassed technological advantage to our warfighters, but I believe the industrial base could significantly improve the efficiency with which it produces these products and the Department must be prepared to assist them in doing so. If confirmed, I will carefully monitor the industrial base and adapt policies and make necessary investments when warranted to minimize risk to our technological advantage for future warfighters.

*Question.* Do you support further consolidation of the U.S. defense industry?

Answer. As far as merger and acquisition activity at the major prime level, I do not believe that further consolidated at that level is likely to be in the interest of either the warfighter or the taxpayer. I believe the Department should preserve as much competition as possible at every tier. Below the top tier, I believe it is a reasonable expectation that there will be some further transaction activity as industry repositions in response to the current budget environment and the new strategy. That is normal and healthy, and I believe it should be driven by market forces and industry, not by the government. The Department will certainly fulfill our commitments to seriously and judiciously review all proposed mergers and acquisitions on a case-by-case basis to ensure they are consistent with the preservation of competition and the continued health of the industrial base.

*Question.* What is your position on foreign investment in the U.S. defense sector?

Answer. Foreign investment can provide benefits to the Department and the economy, but each investment must be considered on its own merits. I am generally supportive of investment in the defense sector including foreign investment if appropriate national security concerns have been resolved and such investments do not compromise the department's critical technology supply chain. As Acting Under Secretary, I have the lead role in DOD's participation in the Committee on Foreign Investment in the United States (CFIUS) which conducts national security reviews of foreign acquisitions of U.S. firms. I support a leading role for DOD and a strong

presence on CFIUS. I also support robust DOD participation in implementation of the export control laws to help ensure that defense-relevant U.S. technologies resident in foreign-owned or controlled firms with DOD contracts are not inappropriately transferred overseas or to foreign nationals.

*Question.* What steps if any do you believe DOD should take to ensure the continued health of the U.S. defense industry?

Answer. I believe one of the most important steps the Department can take to ensure the continued health of the industry is to engage our industrial partners directly and be open with industry about Department plans and intentions. The Department must also continue and enhance our efforts to be receptive to industry concerns and address legitimate issues as quickly and efficiently as possible. The Department must also take all responsible steps to ensure that the defense industry can support our warfighters' needs, now and in the future. For some product and technologies, the Department is the only customer, so the Government's budget and program choices have significant influence on the financial health of the providing companies. The Department's primary mechanism for supporting the industrial base is through the programs that buy the defense industry's products. In exceptional cases, when an acquisition program will not support the minimum volume that a niche supplier needs to remain viable, I believe the Department should consider the use of various strategies to ensure the continued health of segments of the defense industry that are deemed vital to our future capabilities. The Defense Production Act title III authority, the Industrial Base Innovation Fund, and the Manufacturing Technology Program are three such resources to support critical capabilities that are at risk. These interventions should only in exceptional cases, which I believe will be rare.

*Question.* What is your understanding of the status of the Department's ongoing Sector-by-Sector, Tier-by-Tier (S2T2) analysis of the defense industrial base?

Answer. The S2T2 project is making solid progress, but it is a process, not a singular effort, so its status is, and will remain, ongoing. The Department has used several techniques to collect a broad baseline of data across the sectors and down the tiers of the industrial base, and that data has already proven useful in considering the industrial base implications of some proposed program adjustments. The Department integrated initial S2T2 analysis into the process of developing the Department's fiscal year 2013 budget proposal, and if confirmed, one of my priorities will be to institutionalize the process to evaluate the impact of acquisition decisions on the industrial base. S2T2 is also making strong progress in fulfilling its mission to serve as the Department's central repository for industrial base data, working with the Services and components to eliminate duplication and fill in gaps in data collection.

*Question.* Has the Department taken any concrete steps to enhance the health and status of a particular sector or tier based upon this analysis?

Answer. In response to initial analysis of S2T2 data, the Department adjusted some of the program schedules in the fiscal year 2013 budget proposal to smooth workflow, maintaining the health of some critical and fragile niches in the industrial base. The Department has also adjusted the emphasis in planning for some industrial base investments through the Manufacturing Technology Program and the Defense Production Act title III authority, responding to data collected as part of the S2T2 program. Moreover, as the Department enters deliberations on the fiscal year 2014 budget, data collected as part of the S2T2 effort will be essential as the Department institutionalizes the process to consider the industrial base impacts of program decisions.

*Question.* Under what circumstances if any do you believe the Department should use Defense Production Act title III authorities to address defense industrial base needs?

Answer. I believe that the Department should use title III authorities, consistent with section 303 of that law, which requires two determinations submitted to Congress prior to contract execution—(1) Such action "is essential to the national defense; and (2) without [such action], United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner." Title III decisions should be informed by thorough industrial base analysis, based largely on activities of the Defense Production Act Committee (DPAC), as well as the Sector-by-Sector Tier-by-Tier (S2T2) project, and Space Industrial Base Council Critical Technology Working Group (CTWG). Established by section 722 of the act, DPAC is composed of Department and Agency heads from across the Federal Government. Its mandate is to advise the President on the effective use of DPA authorities, including title III provisions. The CTWG was chartered to assess key domestic space industries and, when necessary, coordinate strategies (primarily through DPA title III) for ensuring reliable

access to critical space-related products. The CTWG is composed of military, intelligence, and civilian agency representatives. The Department should rely on these sources of information and advice as well as other sources in determining industrial base priorities for DPA title III investments.

*Question.* What is your view of current or anticipated consolidation efforts by major defense contractors?

Answer. As far as merger and acquisition activity at the major prime level, I do not believe that further consolidated at that level is likely to be in the interest of either the warfighter or the taxpayer. I believe the Department should preserve as much competition as possible at every tier. Below the top tier, I believe it is a reasonable expectation that there will be some further transaction activity as industry repositions in response to the current budget environment and the new strategy. That is normal and healthy, and I believe it should be driven by market forces and industry, not by the government. The Department will certainly fulfill our commitments to seriously and judiciously review all proposed mergers and acquisitions on a case-by-case basis to ensure they are consistent with the preservation of competition and the continued health of the industrial base.

*Question.* How does the Department evaluate the effect that such consolidations may have on the ability of DOD to leverage competition to obtain fair value and the best quality in the goods and services it procures and cultivate technological and engineering innovation?

Answer. When examining a merger, the Department weighs potential harm to competition and innovation caused by horizontal consolidation and vertical integration against potential benefits such as reduced overhead costs and other synergies for both existing and planned programs and future requirements.

*Question.* What role, if any, should DOD have in vetting and approving or disapproving such consolidation efforts?

Answer. The Department examines mergers and acquisitions concurrently and in cooperation with the DOJ or FTC and provides a unified Department position on major transactions to the appropriate antitrust regulatory agency for consideration in determining the U.S. Government's position. As the primary customer impacted by defense business combinations, the Department's views are particularly significant because of its special insight into a proposed merger's impact on innovation, competition, national security, and the defense industrial base. However, the regulatory agencies have the authorities provided by the antitrust statutes and may or may not take actions supported by the Department. In certain limited cases, the Department has in the past unilaterally asked the parties for certain behavioral or structural remedies to address potential issues. Where warranted, the Department supports transactions that eliminate excess capacity; achieve cost savings to the Department; and improve national security.

MANUFACTURING ISSUES

*Question.* Section 812 of the NDAA for Fiscal Year 2011 requires DOD to issue comprehensive guidance to improve its management of manufacturing risk in major defense acquisition programs.

What steps has the Department taken to implement the requirements of section 812? What steps remain to be taken?

Answer. Section 812 of the NDAA for Fiscal Year 2011 required the Department to issue guidance on the management of manufacturing risk for the major defense acquisition programs. In July 2011, the Deputy Assistant Secretary of Defense for Systems Engineering (DASD(SE)) updated the Defense Acquisition Guidebook (DAG) with new guidance on how manufacturing readiness should be assessed throughout all phases of the acquisition process and at specific systems engineering technical reviews. This new guidance, added to DAG Chapter 4 (Systems Engineering), was developed based on industry best practices and prior DOD knowledge base maintained by DAU. If confirmed, I will continue to evaluate the impact of these steps and refine these best practices to stay abreast of rapidly changing technologies and industrial-base capabilities.

*Question.* What additional steps would you take, if confirmed, to address continuing shortcomings in manufacturing research and capabilities in the development and acquisition of defense systems?

Answer. If confirmed, I would continue to promote the Department's investments in advanced manufacturing technology and the transition of those concepts to the industrial base, through competitive incentives and direct investment.

I also see great value in having program managers consider manufacturing and production issues early in program planning and source selection. Manufacturing technology should routinely be included in the risk reduction efforts during the tech-

nology demonstration phase of the acquisition process and through continuing engineering support. The Department should continue to embed advanced manufacturing into specific weapons system platforms through technology transition agreements between the Manufacturing Technology Program and the Program of Record.

In late 2010, DARPA launched a major initiative to create revolutionary approaches to the design, verification and manufacturing of complex defense systems. Though the Adaptive Vehicle Make (AVM) portfolio, DARPA is developing design tools and manufacturing approaches that include a richer design space with the potential to compress development timelines dramatically. This work is maturing and, if confirmed, I will encourage the transition of these concepts to the industrial base.

If confirmed, I will continue to emphasize the importance of manufacturing technology and seek creative mechanisms to advance it.

*Question.* Do you believe that additional incentives are needed to enhance industry's incorporation and utilization of advanced manufacturing processes developed under the manufacturing technology program?

Answer. In general, I believe that existing incentives are acceptable, but will be strengthened further by steps the Department and administration are taking. The Department's competitive acquisition and procurement processes incentivize offerors to pursue internal R&D investments in manufacturing technology and to employ advanced manufacturing processes in response to the DOD's solicitations. The recent efforts I have sponsored to create a Department Innovation Marketplace include manufacturing technologies. The Manufacturing Technology (ManTech) program is a partner in the National Strategic Plan for Advanced Manufacturing announced in February 2012 by the administration, which states, "advanced manufacturing is a matter of fundamental importance to the economic strength and security of the United States." This strategy lays out a robust innovation policy, which incorporates intensive engagement among stakeholders at the national, State, and regional levels, including the DOD ManTech program, to promote U.S. competitiveness. If confirmed, I will seek out additional ways to provide incentives to industry to incorporate and utilize advanced manufacturing technologies.

*Question.* What is your view of the utility of the Industrial Base Innovation Fund for advancing manufacturing technology and processes?

Answer. The Industrial Base Innovation Fund (IBIF) has been and I believe will continue to be a valuable resource for addressing short term, operational needs and issues such as surge and diminishing manufacturing sources. The Department currently possesses the flexibility to respond to defense industrial base or manufacturing needs, such as those identified by the ongoing sector-by-sector tier-by-tier (S2T2) project, through programs identified in the President's Budget. However, in fiscal year 2012, the IBIF program is being reoriented to address niche concerns raised through the S2T2 effort, when current programs will not support the minimum sustaining rate that a niche supplier needs to provide a critical product or service. The Department is focused on ensuring the continued health of selected essential parts of the defense industry through mechanisms like the IBIF. Such interventions are being pursued only when the Department is highly likely to need a product in the future, where the product would be prohibitively difficult and expensive to obtain after a hiatus, and where affordable and innovative mechanisms are available to work with the producers in the interim.

FOREIGN MILITARY SALES

*Question.* You were recently quoted as saying that the Department should facilitate more foreign sales of U.S. weapons to advance numerous policy aims including achieving higher procurement rates that would aid the U.S. military as it braces for a prolonged period of fiscal belt-tightening. Specifically, you were quoted saying, "we've always been supportive of [foreign military sales] but I think we can up our game a little bit. . . . Maybe in some cases take a look at taking a little bit more risk than we've been willing to take in the past."

Does this quote accurately reflect your views?

Answer. Yes.

*Question.* With regard to your reference to "taking a little bit more risk," what types of increased risk would you be prepared to accept and why?

Answer. We are using the new defense exportability features (DEF) legislative authority provided by Congress in the NDAAs for Fiscal Years 2011 and 2012 to invest a small amount of U.S. RDT&E funding early in development to implement pilot program activities that we hope will lead to earlier, more successful sales in support of our foreign policy objectives. Our recent DEF report to Congress describes ongoing efforts. There is risk that these investments may not result in actual exports in the future, but we have done our best to choose pilot programs that are stable

from a U.S. acquisition perspective also have a high probability of future export to allied and friendly nations.

*Question.* What additional steps, if any, do you believe DOD generally and the Acquisitions, Technology and Logistics directorate in particular should take to facilitate more foreign sales of U.S. weapons and equipment?

Answer. The Department is taking several steps in this area that should be continued and strengthened where possible. The administration has been working for some time to implement reforms of export controls through the so called "four singles." This work is ongoing. In particular, the "four singles" effort to review and simplify the Commerce and State Department export control lists would be particularly helpful in facilitating foreign sales. As Principal Deputy Under Secretary, I have also worked with USD(Policy) to streamline the U.S. Government processes for reviewing proposed sales for technology security and foreign disclosure issues. This work is off to a good start but should also be completed. The Department should also continue to encourage use of the new DEF legislative authority provided by Congress in the NDAAs for Fiscal Year 2011 and 2012 in programs that have a high probability of future foreign sales. The DEF legislation provides the Department authority to invest a small amount of U.S. RDT&E funding early in development to implement pilot program activities that can lead to earlier, more successful sales in support of our foreign policy objectives. Finally, I believe that the senior Department officials, including USD(AT&L), should be directly involved in providing information about possible sales to foreign governments and in removing administrative barriers to foreign sales where that is in the interest of the United States. If confirmed I will continue to be actively engaged in these and other measures to further foreign sales of U.S. military equipment to our friends and allies.

SCIENCE AND TECHNOLOGY

*Question.* What, in your view, is the role and value of science and technology programs in meeting the Department's transformation goals and in confronting irregular, catastrophic, traditional and disruptive threats?

Answer. I believe that science and technology programs play a crucial, indeed essential, role in meeting the Department's transformation goals and in confronting all threats to include irregular, catastrophic, traditional, and disruptive. To maintain the technological superiority the United States has enjoyed for several decades, it is essential that the Department pursues a focused, high quality, aggressive science and technology program that is responsive to the full range of capabilities required by our Armed Forces.

*Question.* If confirmed, what direction will you provide regarding funding targets and priorities for the Department's long term research efforts?

Answer. If confirmed, I will work with the Department's leadership to ensure that funding for science and technology investments are set at levels that will ensure the Department has adequate resources in this area. The Department and the administration have placed a strong emphasis on sustaining S&T spending. Secretary Panetta has repeatedly indicated that technological superiority underpins the Department's recently released Military Strategy Guidance. If confirmed I will continue that emphasis and, subject to the Secretary's approval, set appropriate targets and priorities, primarily through the Defense Planning Guidance.

*Question.* What specific metrics would you use, if confirmed, to assess whether the Department is making adequate investments in its basic research programs?

Answer. If confirmed, I will work with ASD(R&E) to ensure that adequate investments are made by the military services and agencies in basic research. Effective management of this portfolio requires good judgment, tight coupling to the research community, and a long-term perspective. The key metrics that I would use to assess the adequacy and impact of these investments include technology transitions into our acquisition programs and the industrial base and longitudinal assessment of publications in scientific journals, number of students supported, patents granted, and publications in peer reviewed conference proceedings.

*Question.* Do you feel that there is sufficient coordination between and among the science and technology programs of the military services and defense agencies?

Answer. I believe that the Department is performing reasonably well in this area, but that there is always room for additional improvement. The formal coordination structure is as follows: at the top, there is an S&T EXCOM, chaired by the ASD(R&E), and attended by the S&T Executives of the military services and defense agencies. This group meets quarterly to discuss major science and technology policy issues. It also meets once a year for a Strategic Overview where each Component presents an overview of the focus of its S&T investment. There are also the Deputies to the S&T EXCOM that meet weekly and serve as an action group to im-

plement decisions made by the S&T EXCOM. The Department has established seven Priority Steering Councils consisting of scientists and engineers from the services and agencies, whose job it is to develop cross-cutting roadmaps for the Department's recently designated S&T Priorities. The councils are complemented by Communities of Interest (COIs) populated by scientist and engineers from the services and agencies for the purpose of integrating the Departments S&T program in specific technology areas. COIs are permanent in nature. There are also short-term Technology Focus Teams (TFTs) that perform in-depth analysis of specific technology issues and report their findings to the S&T EXCOM.

*Question.* What is the Department's role and responsibility in addressing national issues related to science, technology, engineering, and mathematics (STEM) education and workforce development?

Answer. I believe that the Department should take a strong role in supporting the development of world-class STEM capabilities within the domains of importance to national security. With the support of Congress, the Department engages America's students, educators and educational communities to enrich DOD's current and future workforce through strategic investments. These investments are designed to create access and opportunities to work alongside DOD scientists and engineers as well as funding cutting-edge research in areas critical to national security. The Department is actively working with the Office of Science and Technology Policy, the National Science Foundation and other Federal agencies to draft the first 5-Year Federal STEM Education Strategic Plan to coordinate its STEM investments to achieve Government-wide efficiencies in accordance with Federal policies. If confirmed, I will support and participate in the effort to support STEM workforce development.

*Question.* What steps if any would you take to support efforts to ensure that the Nation has the scientific and technical workforce needed for its national security technological and industrial base?

Answer. DOD STEM education, training and outreach programs, such as the National Defense Education Program (NDEP), including K–12, the Science, Mathematics and Research for Transformation (SMART) program, and National Security Science and Engineering Faculty Fellows (NSSEFF) program expand the pool and diversity of scientists and engineers available to the DOD and the technological and industrial base. If confirmed, I will continue to work with the Assistant Secretary of Defense (Research and Engineering) to assess the extent to which NDEP, and other similar STEM programs, meet the Department's current and future technical workforce needs, are effective and efficient, and are synchronized with other Federal Government STEM initiatives. I will also continue to support the efforts in this area that non-defense organizations within government and industry are conducting.

*Question.* How would you use science and technology programs to better reduce technical risk and therefore potentially reduce costs and schedule problems that accrue in large acquisition programs?

Answer. Technical risk should be identified during the early program planning and analysis phases of the acquisition process as alternative solutions to military problems are evaluated. Once the candidate preferred solutions and associated risks are identified, the program and S&T communities should work together to develop technology maturation programs and risk reduction programs that will reduce the risk associated with a technology to a level where it can be incorporated in an acquisition program, either for technology demonstration or for engineering development. The S&T community and the program community should work together to identify the most promising and high payoff areas for investment for both initial fielding and subsequent upgrades or increments.

*Question.* Do you feel that the science and technology programs of DOD are too near-term focus and have over-emphasized technology transition efforts over investing in revolutionary and innovative programs?

Answer. No. The Department has sustained its investments in longer term technologies and DARPA is appropriately funded to pursue high risk high payoff opportunities. I am concerned about some of the trends in the balance of investments in the various R&D accounts, however. As the Department has increased the amount of time some programs are being kept in the inventory the percentage of the R&D budget being used for upgrades has grown. The accounts for basic and applied research have been protected and for good reason; however, this has led to reductions in the accounts funding prototypes and full scale development. If confirmed, I will continue to monitor these trends and recommend actions to address it if needed.

*Question.* Are you satisfied that the Department has a well articulated and actionable science and technology strategic plan?

Answer. Yes. The current science and technology strategic investment strategy is a result of coordinated strategic planning activities that have occurred over the past

2 years. In April 2011, the Secretary of Defense issued a memo that identified seven S&T priorities for investment planning. The Components published S&T strategic plans that support the priorities of both the Department and their respective organizations' assigned missions. These plans contain actionable goals and are available to industry, academia, and other government organizations on the Department's web site.

*Question.* Do you see a need for changes in areas such as hiring authority, personnel systems, financial disclosure and ethics requirements, to ensure that the Department can recruit and retain the highest quality scientific and technical workforce possible?

Answer. I have not seen any data that would indicate conclusively that the Department has a major problem in the areas of hiring authority, personnel systems, disclosure, and ethics requirements; however, I am concerned that the Department needs to strengthen its workforce in the engineering fields. This includes the military officer corps. If confirmed, I will work with the service leadership to assess this situation and determine whether any corrective action is needed. The Department does have tools such as Interdepartmental Personnel Act (IPA) and Highly Qualified Expert (HQE) programs to bring in additional talent. I believe the use of these programs could be expanded and I do believe more can and should be done to increase the capacity of the technical workforce without changes in the administrative areas mentioned.

*Question.* The Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) has been designated as the Chief Technology Officer of DOD.

In your view, what is the appropriate role of the Chief Technology Officer of DOD?

Answer. The Chief Technology Officer (CTO) is the advisor to the Under Secretary of Defense for Acquisition, Technology and Logistics, the Deputy Secretary of Defense, and the Secretary of Defense for research and engineering matters. The CTO should provide technical leadership, guidance, and oversight for the Department's R&E program to include the identification of critical technology areas and the adequacy of the Department's overall R&E investment and program content.

*Question.* What authority should the ASD(R&E) have over the Defense Advanced Research Projects Agency (DARPA)?

Answer. By DOD Charter the Defense Advanced Research Projects Agency (DARPA) is established as an Agency of DOD under the direction, authority, and control of the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) and the Assistant Secretary of Defense for Research and Engineering (ASD(R&E)). DARPA also recommends to the Secretary of Defense, through the ASD(R&E), the assignment of research projects to DARPA. I would not recommend any changes in these authorities and roles.

*Question.* What authority should the ASD(R&E) have over other Service and agency science and technology efforts?

Answer. I believe the existing authorities are appropriate. By DOD Charter, the ASD(R&E) is to recommend approval, modification, or disapproval of programs and projects of the Military Departments and Defense Agencies to eliminate unpromising or unnecessarily duplicative programs. The ASD(R&E) is also designated to recommend the initiation or support of promising projects or programs for the science and technology program. These recommendations are usually provided as resource and programmatic input to the Department's process for developing the President's Budget Request.

*Question.* Do you see the need for any changes in organizational structure, workforce, or availability of resources to improve the effectiveness of the Office of the Assistant Secretary of Defense for Research and Engineering?

Answer. Not at this time. The Department is still in the final stages of implementing the provisions of the fiscal year 2009 Weapons Systems Acquisition Reform Act. To date, progress has been good, and I will continue to review whether additional adjustments are needed.

DEFENSE LABORATORIES

*Question.* What is your view on the quality and relevance of the DOD laboratories as compared to the DOE national laboratories, Federal laboratories, academic laboratories and other peer institutions?

Answer. During my career, I worked with many of these institutions and in general, I have found them to be staffed with competent scientists and engineers who are dedicated to their work and performing important missions for the DOD or the Nation. A key issue going forward is how to operate these Laboratories as an enterprise to meet the needs of the Department effectively. The ASD(R&E) is working with the Services on this assessment.

*Question.* What metrics will you use, if confirmed, to evaluate the effectiveness, competitiveness, and scientific vitality of the DOD laboratories?

Answer. If confirmed, I will evaluate the DOD labs primarily based on their success in developing and transitioning new technologies to warfighters, the quality of their technical workforce, and the results of external reviews of their effectiveness and innovation. As Acting USD(AT&L), I have begun the process of putting in place mechanisms to assess the productivity of DOD's acquisition institutions and if confirmed I will continue that process.

*Question.* What steps if any will you take, if confirmed, to increase the mission effectiveness and productivity of the DOD laboratories?

Answer. If confirmed, I will continue to work closely with the ASD(R&E) to ensure that DOD labs operate at maximum efficiency and productivity. As Acting USD(AT&L), I have begun the process of putting in place mechanisms to assess the productivity of DOD's acquisition institutions, including laboratories, and if confirmed I will continue that process.

*Question.* Do you see value in enhancing the level of technical collaboration between the DOD laboratories and academic, other Federal and industrial scientific organizations?

Answer. Yes. Technical collaborations across the laboratory system are essential to success. Much cooperation already exists. Together with the ASD(R&E), I am examining additional incentives to increase teaming and partnering such as exchange programs, joint technology programs, and participation in cross-agency reviews. In particular, I am working with Department of Homeland Security and the Department of Energy on areas in which cooperation can be expanded. If confirmed, I will continue these efforts.

*Question.* Do you believe that past investments in research equipment; sustainment, repair and modernization; and facility construction at the DOD laboratories have been sufficient to maintain their mission effectiveness and their standing as world-class science and engineering institutions?

Answer. I am not certain of the answer to this question. The Services are currently not reporting any deficiencies in the DOD laboratory infrastructure necessary to carry out leading-edge research efforts of which I am aware. However, I do have some questions about the overall state of DOD's laboratories. Consequently, I have asked the Assistant Secretary of Defense for Research and Engineering to conduct a comprehensive review of DOD labs in the context of the entire national laboratory system. This review should provide insight into the state of the labs. If confirmed, I will use the results of this review to determine whether additional investments are needed.

*Question.* In your view, have the DOD laboratories struck an appropriate balance between investments in near-term technology programs that are tied to current battlefield needs and investments in longer term, higher risk, and revolutionary capability development?

Answer. Yes. DOD's laboratory system is a balance of corporate research labs (e.g., Naval Research Lab, Army Research Lab) that maintain basic science as their primary focus, and engineering centers such as the Navy Warfare Centers and the Army's Research and Engineering Development Centers that maintain the Department's in-house development and engineering expertise. The Services align approximately one-third of their basic science budgets to in-house programs. A recent review of the labs' basic science program was conducted by the Defense Science Board (DSB) and the DSB concluded that the in-house basic research program was technically strong and healthy. While not a laboratory per se, DARPA does focus much of its work in higher risk high payoff technology. In general I think the Department has a reasonable balance, however if confirmed I will continue to assess this balance to determine if adjustments are needed.

*Question.* Do you believe that this balance is likely to change with the completion of our withdrawal from Iraq and our ongoing drawdown in Afghanistan?

Answer. I expect the balance between near-term and longer-term research will not change dramatically as a result of these events, but the portfolio of research topics will shift to support the Department's recently released strategic guidance, particularly toward any emerging threats.

*Question.* Section 219 of the NDAA for Fiscal Year 2009 authorizes the directors of a defense laboratory to use up to 3 percent of the total funds available to the laboratory to fund innovative research, technology transition activities, and workforce development.

What is your understanding of the extent to which the Department has implemented section 219?

Answer. Each of the Services has implemented section 219 programs. Though the statute gives authority to lab directors to utilize up to 3 percent of all available

funds for this program, the actual amount to date has been in the 1 to 2 percent range. The Department submits a Section 219 status report annually to Congress to detail the related investment.

*Question.* Do you believe that the funding flexibility provided by section 219 has been appropriately utilized by the Department?

Answer. Yes. So far, I believe the flexibilities provided by section 219 have been used appropriately by the Department. Lab directors have appropriately balanced section 219 investments with other programs and procurements. If confirmed, I will continue to monitor the use of this flexibility by lab directors.

*Question.* Do you believe that it would be feasible or appropriate for the Department to use the authority of section 219 to adjust the balance between investments in near-term technology programs and longer-term, higher-payoff investments?

Answer. Yes, however, I believe that the current program authorities and structure are adequate and are being used appropriately, and recommend no changes at this time.

DEFENSE ADVANCED RESEARCH PROJECTS AGENCY

*Question.* What is your understanding of the relationship between the DARPA and the ASDR&E?

Answer. By DOD Charter the Defense Advanced Research Projects Agency (DARPA) is established as an Agency of DOD under the direction, authority, and control of the Under Secretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) and the Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) who reports to the Under Secretary. DARPA also recommends to the Secretary of Defense, through the ASD(R&E), the assignment of research projects to DARPA.

*Question.* In your view, has DARPA struck an appropriate balance between investments in near-term technology programs that are tied to current battlefield needs and investments in longer term, higher risk, and revolutionary capability development?

Answer. Yes. The ASD(R&E) completed a comprehensive review of the DARPA science and technology program last August and reported that the DARPA investment appeared to be properly balanced between near-term and long term, higher risk technology and capability development. If confirmed, I will continue to review DARPAs balance of investments, however one of the most important characteristics of DARPA is that it has more independence to invest in high risk high payoff technologies than other DOD institutions and I believe this should continue.

*Question.* Do you feel that DARPA has adequately invested in the academic research community?

Answer. Yes, however this is a very subjective assessment. DARPA basic research investment, which largely goes to academic institutions, has more than doubled since 2007, from $150 million per year to the current fiscal year 2013 request of $349 million. This investment has expanded DARPA and academic interaction. If confirmed, I will continue to monitor DARPAs investment in academic research.

*Question.* What are the major issues related to DARPA investments, management and workforce, and research outcomes that you will seek to address?

Answer. DARPA has been, and will continue to be at the center of DOD-funded innovation, particularly for addressing difficult problems in creative and often non-traditional ways. Areas I will focus on if confirmed include DARPA's cyber investments and potential game-changing technologies applicable to emerging threats. If confirmed, I will continue to support DARPAs efforts to attract an exceptional technical workforce.

*Question.* Do you feel that DARPA is adequately transitioning its programs to the Services and Defense Agencies? If not, how will you address that challenge?

Answer. DARPA's success in this regard has been mixed, and the transition of technologies in some cases could be more effective. I recently discussed this issue with the departing DARPA Director who indicated that some relationships with the Military Departments could be stronger. If confirmed, I will work with the Service Acquisition Executives and the Assistant Secretary of Defense for Research and Engineering to strengthen transition for the entire R&E enterprise, including DARPA.

*Question.* Do you believe that there has been an appropriate level of interaction between DARPA and its intelligence community analog, IARPA, given the overlap in many research areas?

Answer. I do not have any information that would suggest otherwise, and my belief is that there has been appropriate interaction between DARPA and IARPA.

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 the independence of the Director of Operational Test and Evaluation (DOT&E) is an important aspect of ensuring the Department's acquisition programs are realistically and adequately tested in their intended operational environment. I am aware of concerns that testing can be perceived as creating additional cost and delays in delivering capability, especially in the context of pressing real world operations. If confirmed, I will continue to meet regularly with and seek the advice of the DOT&E on testing and evaluation issues as a partner in the acquisition process, while allowing for the necessary independent viewpoints. I have great respect for the professionalism, dedication, and integrity of the current DOT&E, whom I have known for many years. If confirmed, I will continue to welcome his insights on program performance and other issues. DOT&E's independence is of great value in the acquisition process and is appropriate.

*Question.* What are your views about the role of the Director of Developmental Test and Evaluation in ensuring the success of the Department's acquisition programs?

Answer. The role of the DASD(DT&E) is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology and Logistics on all matters relating to developmental test and evaluation within the Department. In this role, the DASD(DT&E) mission includes helping to improve acquisition outcomes through early and continuous engagement with Program Offices in order to verify system performance meets requirements and to identify the need for corrective actions as early as possible. DT&E also provides confirmation that a system is mature enough to proceed to IOT&E. The DASD(DT&E) provides support to Program Offices and the DOD T&E community, assists with test planning and data analysis, and identifies and shares best practices. Additionally, the DASD(DT&E) provides an independent assessment to advise milestone decision authorities and the component acquisition executives of any risks prior to entering production or initial operational test and evaluation. As the Milestone Decision Authority for Major Defense Acquisition Programs, I particularly rely on the DASD(T&E) for advice on the demonstrated maturity of designs to enter initial production and on the adequacy of planned test programs at the beginning of Engineering and Manufacturing Development. If confirmed, I will continue to rely heavily on the DASD(T&E) for support to these decisions.

*Question.* Are you concerned with the level of test and evaluation conducted by the contractors who are developing the systems to be tested?

Answer. I only have anecdotal evidence at this point that this is a concern. I believe that there needs to be Government led DT&E supported by contractor testing and that the best mix of government and contractor testing varies from program to program based on a variety of factors. If confirmed, I will continue to assess this balance to determine if adjustments should be made. The ASD(DT&E) is currently reviewing all developmental test infrastructure, both government and contractor. If confirmed I will use the results of that assessment to determine if changes are warranted.

*Question.* What is the impact of rapid fielding requirements on the standard testing process? If confirmed, how will you work to ensure that all equipment and technology that is deployed to warfighters is subject to appropriate operational testing?

Answer. The assessment process for capabilities provided in response to the warfighter's urgent operational requirements must be appropriately tailored to ensure that the warfighter receives critical capabilities that are reasonably safe, perform their basic functions successfully, and are provided on a timeline that meets the warfighter's expectation. This generally implies initial test regimes prior to first fielding of rapid acquisition programs that accept more risk than the normal acquisition process. The Department is currently revising DODI 5000.02 which governs the operation of the Defense Acquisition System to include a provision for rapid fielding procedures. Those procedures will provide additional guidance on the testing required for rapid acquisition programs. If confirmed, I will complete this effort and make adjustments as the Department learns from its experience with testing for rapid acquisition programs.

*Question.* Do you believe that the operational and developmental testing organizations in DOD and the Military Services are adequate to ensure an appropriate level of testing, and testing oversight, on major defense acquisition programs?

Answer. Yes, I believe there are adequate resources to ensure an appropriate level of testing and testing oversight on major defense acquisition programs. That said, however, I am a firm believer in continuous improvement, and I have no doubt that the Department can improve its performance. Problems that I have identified include the need for earlier definition of test requirements so that program planning and budgeting are stable, and the need to shift more emphasis to early developmental testing to reduce the likelihood of late discovery of design or production issues. If confirmed, I will continue to work with the DOT&E and DASD(DT&E) to ensure the Department conducts effective and efficient developmental and operational testing to improve acquisition outcomes.

*Question.* Section 102 of the WSARA established a new Director of Developmental Testing to help address this problem. Section 835 of the NDAA for Fiscal Year 2012 built on this provision by establishing new organizational and management requirements for developmental testing on major defense acquisition programs.

What steps has the Department taken to date to implement these two provisions?

Answer. As Acting Under Secretary of Defense for Acquisition, Technology and Logistics, I have approved a DOD Instruction (DODI 5134.17) which assigns responsibilities and functions and prescribes relationships and authorities for the DASD(DT&E). We are issuing guidelines for implementing the requirements of Section 835 of the NDAA for Fiscal Year 2012, and I am in the process of including those requirements established in an update to the Defense Acquisition System Instruction (DODI 5000.02).

*Question.* What steps remain to be taken?

Answer. If confirmed, I plan to complete the update of the DODI 5000.02 that incorporates the requirement in the NDAA for Fiscal Year 2012. I will work with the Services to resolve any unique issues they have with the implementation. I will monitor the progress of the Services in implementing this new requirement and have DASD(DT&E) report the status in the fiscal year 2012 Annual Report to Congress.

*Question.* What additional steps will you take, if confirmed, to ensure adequate developmental testing on major weapon systems?

Answer. If confirmed, I will continue to emphasize the importance of having early and continuous engagement with the Program Offices. I will work collaboratively with the Component Acquisition Executives and Program Offices to develop adequate test programs, assist with test planning and data analysis, and identify and share best practices to help improve acquisition outcomes.

*Question.* Some have argued that testing takes too long and costs too much. Others contest this view pointing out that testing and evaluation is an essential tool to assist in the development of weapon systems and ensure that they perform as intended. The Armed Services Committee has expressed concern that problems with weapons systems have been discovered during operational testing and evaluation that should have been discovered during developmental testing and corrected during subsequent development.

Do you believe that major defense acquisition programs are helped or hurt by cutting tests budgets and reducing the time available for developmental testing?

Answer. In general, they are more likely to be hurt. There is a natural tendency, exacerbated by tight budgets, funding cuts, and poor execution, to cut corners in test planning (both time and resources) to save time and money. In my experience, this is usually a mistake that is corrected by reality in the form of more schedule and cost overruns. I am strongly committed to ensuring that the Department has development programs with appropriate timelines and well resourced, realistic testing. I believe the Department should be continuously looking for ways to improve the efficiency and effectiveness of our test programs to save time and money, but the Department should not be cutting test budgets and reducing test activities without a sound specific plan to achieve those savings.

*Question.* What steps if any will you take, if confirmed, to ensure that the program management community and the testing and evaluation community work collaboratively and effectively in a way that maximizes the likelihood that developmental testing and evaluation will detect and identify problems timely in software and hardware to provide opportunities to correct them before production and before operational testing and evaluation begins?

Answer. My goal is to ensure that the Department discovers deficiencies early in programs in order to take corrective action as early in development as possible in order to minimize program disruption and save time and money. Early identification of problems will also increase the probability of programs being found effective and suitable in Initial Operational Test and Evaluation (IOT&E). If confirmed, I will continue my efforts to ensure that the program management community, the systems engineering community, and the testing and evaluation community work col-

laboratively and effectively throughout the acquisition process, but particularly at the earlier stages of program planning.

BALLISTIC MISSILE DEFENSE

*Question.* When it was created in 2002, the Missile Defense Agency (MDA) was exempted from normal acquisition rules and processes in order to field an initial set of missile defense capabilities on an expedited basis. That fielding has now taken place, although numerous upgrades and corrections are being implemented. Each of the elements of the Ballistic Missile Defense System (BMDS) would normally meet the criteria for a Major Defense Acquisition Program (MDAP), but none of them has been managed as an MDAP. Furthermore, for most of MDA's existence, all its programs were funded with Research, Development, Test, and Evaluation (RDT&E) funds, even for non-RDT&E activities. Currently, BMDS acquisition programs are overseen by the Missile Defense Executive Board (MDEB), chaired by the USD(AT&L).

What management and acquisition changes or improvements if any do you believe are warranted for the ballistic missile defense programs?

Answer. As Acting Under Secretary I have chaired three MDEB meetings and attended a number of others, and through the oversight and insight developed during these meetings and the preparation for them, I believe that the current management and acquisition approach is reasonably effective. I would like to have more experience with this management approach, however, before recommending any changes.

*Question.* Do you believe that the Under Secretary of Defense for Acquisition, Technology, and Logistics should have the same responsibilities relative to the ballistic missile defense acquisition programs as for all other MDAPs?

Answer. The Under Secretary of Defense for Acquisition, Technology, and Logistics, has the same responsibilities, within the current departmental guidance, for the ballistic missile defense programs as for all MDAPs, with the exception that early acquisition decisions, including entry into technology demonstration and entry into engineering and manufacturing development, have been delegated to the Director of the MDA. In general, I see no reason why these responsibilities should be different than those for other MDAPs.

*Question.* If confirmed, what steps if any would you plan to take to ensure that the ballistic missile defense programs of DOD follow sound acquisition and management practices and processes?

Answer. The MDEB has been the forum since 2007 for senior departmental review of MDA activity. If confirmed, I will continue to review the MDEB efforts, to maintain regular oversight of the MDA acquisition and management practices, program progress, and issue resolution. The MDEB includes essentially the same membership as the DAB that oversees MDAP programs. If confirmed, I will continue to rely on the independent advice of these staff offices, as I do for MDAPs, to ensure sound decisions are made.

*Question.* For many years, DOD and Congress have agreed on the principle that major weapon systems should be operationally effective, suitable, survivable, cost-effective, affordable, and should address a credible threat. These elements are all consistent with the Ballistic Missile Defense Review (BMDR) of February 2010.

Do you agree that any ballistic missile defense systems that we deploy operationally must be operationally effective, suitable, survivable, cost-effective, affordable, and should address a credible threat?

Answer. Yes.

*Question.* If confirmed, what steps if any would you take to ensure that the BMDS and each of its elements meet these criteria?

Answer. Rigorous and realistic testing of missile defenses is imperative. The MDA presently is executing a plan, which includes the use of a Development and Operational Testing approach that allows the U.S. Strategic Command warfighter community (which includes all combatant commanders) and all the Service Operational Test Agencies to be integral parts of the test program. If confirmed, I will maintain these test activities as an integral part of ballistic missile defense program planning, and execution priorities, and review the plans and the proposed test activities to determine whether additional steps or other emphases are necessary or appropriate.

*Question.* For many years, Congress and DOD have agreed on the principle of "fly before you buy," namely demonstrating that a weapon system will work in an operationally effective, suitable, and survivable manner before deciding to acquire and deploy such systems. This demonstration requires rigorous, operationally realistic testing, including independent Operational Test and Evaluation (OT&E), to provide

an accurate assessment of how weapon systems will perform in combat conditions. The DOT&E has expressed concerns that the testing of the Ground-based Midcourse Defense system has not been sufficient to provide confidence in its operational capability.

Do you agree that ballistic missile defense testing needs to be operationally realistic, and should include Operational Test and Evaluation, in order to assess operational capabilities and limitations of ballistic missile defense systems, prior to making decisions to deploy such systems?

Answer. Yes.

*Question.* If confirmed, what steps if any would you take to ensure that the BMDS, and each of its elements, undergoes adequate independent operational test and evaluation?

Answer. The BMDS Integrated Master Test Plan serves as the departmental contract to perform comprehensive developmental and operational independent testing. If confirmed, I will work with the MDA and the DOT&E to continue the evolution of BMDS testing to ensure that adequate tests are conducted.

*Question.* The MDA has developed ballistic missile defense systems and capabilities and procured the initial inventories of missile defense element weapon systems. However, the Military Departments are notionally intended to procure, operate, and sustain operational missile defense systems.

What do you believe is the appropriate role for the Military Departments in the procurement, operation, and sustainment of ballistic missile defense systems, and at what point do you believe these systems should be transitioned and transferred to the Military Departments?

Answer. I believe that at some point for each program, responsibility for operation and sustainment should be transferred from MDA to a Military Department. Production may be transferred as well, but this will vary from system to system on a case-by-case basis. The Deputy Secretary of Defense issued guidance in June 2011, providing direction for MDA and Military Department life cycle responsibilities and a process to define and schedule management and funding responsibility transfer points. If confirmed, I will oversee the execution of the guidance as the BMDS elements mature and I will review and recommend changes as appropriate. If confirmed, I will work with the MDA and the Military Departments to ensure processes and policies are in place to accomplish the transition and transfer in a timely and effective manner.

*Question.* The MDA and the Army have reached tentative agreement on transferring Army ballistic missile defense programs to MDA.

What do you believe are the appropriate roles for the Army and MDA, respectively, in the development, management, and funding of Army ballistic missile defense programs, and what risks do you see, if any, from transferring such programs to MDA?

Answer. Defining this relationship is still a work in progress, so my views at this time may not be final. That said, I generally support a model that is similar to the model used by MDA and the Navy in which the Military Department retains responsibility for overall system performance and is the technical authority for the total system while MDA provides defined products for integration into the Army's system. The two organizations must work closely together to address integration issues and define interfaces and requirements, but I believe this arrangement provides the most effective management approach. The Patriot system is the only specific system for which this is an issue to my knowledge and Aegis is the comparable Navy system that uses this model.

NUCLEAR WEAPONS COUNCIL

*Question.* If confirmed as USD(AT&L), you will chair the Nuclear Weapons Council (NWC).

In your view, what are, or should be, the highest priorities of the NWC?

Answer. In my view, the highest priorities of the NWC are to ensure the continued safety, security, and effectiveness of our nuclear weapons stockpile and to ensure the Nation can field an effective nuclear deterrent.

*Question.* What improvements, if any, do you believe should be made to the operations of the NWC?

Answer. If confirmed, I will work with the Secretary of Defense and the Deputy Secretary of Defense, as well as members of the NWC, to identify improvements, if any, that would strengthen the partnership with the Department of Energy in ensuring a safe, secure, and effective nuclear stockpile and a modern supporting infrastructure. As Acting Under Secretary, I have chaired several NWC meetings and at this point, I believe that it is functioning as intended.

*Question.* What role do you expect to play, if confirmed, in the development of the Nuclear Posture Review?

Answer. If confirmed, I will continue to support the administration's ongoing implementation of the 2010 Nuclear Posture Review.

*Question.* The 1251 report that accompanied the New START treaty set forth a robust plan for modernizing the nuclear weapons complex and the triad of nuclear delivery vehicles.

Do you support that plan and agree that modernizing the nuclear triad and replacing critical infrastructure such as the Chemistry and Metallurgy Research Replacement (CMRR) at Los Alamos and the Uranium Processing Facility (UPF) at Y–12 should be National Security priorities and that they should be built in a timely manner?

Answer. DOD has fully supported the Department of Energy's efforts to sustain the nuclear weapons stockpile and to modernize the supporting infrastructure. Today's austere budget environment, however, will delay key warhead life extension programs and infrastructure modernization relative to the timelines reflected in last year's Section 1251 Report. Although UPF construction will proceed mostly as planned with some changes in scope, the DOE's current plan is to defer construction of the CMRR facility for at least 5 years as a result, using existing facilities to meet plutonium needs. Over the coming months, the DOD and DOE will work together to firm up cost data on key programs, providing a basis to inform alternative approaches to mitigate the risk of program delays and further advance the President's commitment to safe, secure, and effective nuclear forces.

*Question.* Do you share DOD's view regarding the need for establishing a capability to produce 50 to 80 pits per year as asserted in congressional testimony by DOD and NNSA witnesses?

Answer. Given current stockpile requirements, I support the DOD view regarding the need for the capability to produce 50–80 pits per year.

LOGISTICS AND READINESS

*Question.* If confirmed as USD(AT&L), what steps if any would you take to ensure that life cycle maintenance requirements and sustainment support are considered in the acquisition process for new DOD systems?

Answer. Several steps are underway to ensure life cycle requirements are addressed in the acquisition process for new DOD systems, and if confirmed, I would continue those steps and look for other opportunities to integrate life cycle cost considerations into the acquisition process. Under the Better Buying Power initiatives, each new program is required to establish a sustainment cost cap that is intended to drive design trades and investment during development to ensure the program is affordable throughout the life cycle. In addition, core maintenance determinations are now defined at Milestone A and refined at Milestone B to include detailed workload estimates. These estimates are used as the basis for determining the level of investment required to establish a viable repair capability at our organic activities and are included in the acquisition program baseline. Additionally, programs are now required to complete a Life Cycle Sustainment Plan and Systems Engineering Plan in which specific sustainment development, production, and operating resource requirements are fully identified and reflected in the respective Services' budget submissions. Finally, data from recent studies indicate strongly that in many cases Performance-Based Logistics has been effective at reducing life cycle costs and if confirmed I will look for appropriate opportunities to expand the use of this approach. If confirmed, I intend to continue these initiatives and to look for additional opportunities to drive life cycle cost down.

*Question.* The NDAA for Fiscal Year 2009 requires DOD to conduct life-cycle cost analysis for new capabilities including the fully burdened cost of fuel during the analysis and evaluation of alternatives in the acquisition program design trades.

Do you believe that the fully burdened cost of fuel is an appropriate factor for the Department to consider in the evaluation of acquisition alternatives?

Answer. Yes. Fully Burdened Cost of Energy estimates for acquisition programs is a useful component of the total life cycle cost estimating process. This process helps the Department understand the full long term expenses the Department is signing up to when it commits to a new system. While Total Ownership Cost is a long-term estimate based on steady-state usage, the Fully Burdened Cost of Energy is scenario-based. The Fully Burdened Cost of Energy provides a useful operational cost perspective and helps decisionmakers differentiate between the fuel and logistics demands of competing system concepts DOD is considering.

OPERATIONAL ENERGY

*Question.* The NDAA for Fiscal Year 2009 created the position of the Assistant Secretary of Defense for Operational Energy Plans and Programs.

If confirmed as USD(AT&L), how would you work with office of the Assistant Secretary of Defense for Operational Energy Plans and Programs to advance the objectives of that office?

Answer. The Assistant Secretary of Defense for Operational Energy reports to the USD(AT&L). Energy is a fundamental enabler for the Department's mission. I have been and will continue to take steps, through and in support of the Assistant Secretary of Defense for Operational Energy Plans and Programs, to improve the efficiency of our use, the range of energy alternatives available to our forces, and energy planning for our future force. This office is an important part of the AT&L enterprise, and, if confirmed, I will continue to expand and further its efforts.

*Question.* With persistent combat operations in Iraq, Afghanistan, and around the globe, combat service support units are constantly at risk when transporting supplies.

What role do you believe the USD(AT&L) should play in developing strategies to reduce the logistical footprint of deployed units operating in hostile environments?

Answer. I believe the USD(AT&L), in conjunction with U.S. Transportation Command, the Defense Logistics Agency, the Joint Staff, and the Military Services, must ensure that the Department obtain the best possible sustainability, maintainability, reliability, and fuel efficiency for our deployed weapon systems and contingency bases, as a way of lowering the logistical footprint needed to maintain them. If confirmed, my office will continue to provide guidance and oversee the development of technologies and strategies that focus on managing the logistics footprint required to sustain the force safely in any theater of operation. If confirmed, I will also continue to emphasize the logistics implications of new programs as a major factor in decisions about which programs to pursue.

*Question.* What is your view of the role that the USD(AT&L) should play in developing and pursuing alternative energy sources for DOD?

Answer. I believe AT&L has a lead role to play in pursuing alternative energy sources, both for operational forces through the Assistant Secretary of Defense for Operational Energy Plans and Programs, and for facilities energy through the Deputy Under Secretary of Defense for Installations and Environment.

*Question.* Do you foresee a significant role for the use of solar and wind energy systems with deployed units operating in remote environments?

Answer. As DOD builds a more agile force, the Department is finding that improvements in our energy use, including the use of renewable energy, can increase our combat effectiveness. In particular, studies and deployed experience indicate that solar technology has promise for supplying energy for deployed units, though it depends on the mission and the environment. Solar technologies are proving most beneficial at the tactical edge, where they can reduce re-supply needs, can integrate with batteries, and diminish the noise and heat signature of U.S. forces. Wind energy systems for expeditionary units have not been deployed because of low average wind speeds in current operational environments, but they could be useful in some remote deployment situations, particularly as technologies for small, low-wind systems improve.

BASE REALIGNMENT AND CLOSURE

*Question.* The Secretary of Defense has indicated that the President's budget request will include a request for two future rounds of Base Realignment and Closure (BRAC), one in 2013 and the other in 2015. The most recent round of BRAC has just been completed and we are awaiting various reports outlining lessons learned and quantifying savings. Early indications, however, are that the 2005 BRAC failed to achieve the cost savings originally forecast.

What is your understanding of the Department's rationale for requesting two additional rounds of BRAC?

Answer. The Department has formulated new military strategy guidance and a fiscal year 2013 budget intended to implement that guidance. This strategy and budget include force structure changes that will produce excess capacity. The Department's rationale is essentially that these changes should be accompanied by a corresponding reduction in the supporting infrastructure including military bases that are no longer needed and which impose wasteful costs on the Department.

*Question.* Are you aware of any analysis has been conducted to justify the request for two additional rounds of BRAC?

Answer. No specific analysis has been conducted yet. With the 2013 timeline in mind, the Department has started the initial preparatory work regarding internal

governance for a BRAC process—inventorying our property and evaluating the extent to which the Department needs to update its analytical tools. These efforts will allow the Department to proceed expeditiously if Congress authorizes BRAC. After congressional authorization, the BRAC process begins with a certification that BRAC is needed and will produce savings. Specifically, the Department prepares a 20-year force structure plan and a comprehensive installation inventory. Using those documents, the Department prepares a report for Congress in which it: describes the infrastructure necessary to support the force structure, identifies areas of excess, conducts an economic analysis of the effect of closures and realignments on the excess capacity, and certifies that BRAC is needed and will generate savings. Only then is the Secretary authorized to proceed with the commission itself.

*Question.* What is your view on the argument that we should close excess installations overseas before new rounds of BRAC are authorized?

Answer. I would agree that both should be examined, and the Department has already begun the process of reviewing its overseas bases, particularly in Europe. This does not require a BRAC authorization. However, in my view it makes sense to look at our domestic and overseas bases at the same time so that the two reviews can inform one another.

*Question.* What changes if any would you recommend to the BRAC statute, if confirmed, to ensure a more efficient and effective BRAC process?

Answer. I would not recommend any changes to the BRAC statute. BRAC is a fair, objective, and proven process for closing and realigning installations.

ENVIRONMENTAL SECURITY

*Question.* If confirmed, you will be responsible for environmental security for DOD.

What do you see as the most significant challenges facing the Department in the area of environmental security?

Answer. The greatest challenge will be maintaining and improving the Department's level of environmental security performance in a difficult budget environment. If confirmed, I will continue to look for ways to find efficiencies without undermining performance.

*Question.* Assuming you are confirmed, what plans, if any, do you have for addressing these challenges?

Answer. If confirmed, my approach will continue to be twofold. First, I will continue the aggressive oversight of environmental programs, with the goal of minimizing management costs and making our organizational structure and performance contracts as efficient and effective as possible. Second, I will continue to emphasize the power of strategic R&D investments to lower the costs associated with environmental security.

*Question.* While the Military Departments have made considerable progress addressing environmental contamination at military installations, there remains a substantial amount of work to be done, including the remediation of discarded munitions and Unexploded Ordnance (UXO), at current and former DOD sites. The Military Departments have managed to maintain reasonably level funding for these cleanup programs over the past several years; however, many of these clean-ups will take years to complete and, in the current budget environment, the restoration accounts will come under pressure.

What steps, if any, do you believe are needed to ensure that the DOD remediation programs receive adequate funding and make meaningful progress, particularly in the detection and clearance of discarded munitions and UXO?

Answer. I believe that the Department needs to continue its existing remediation programs as requested in the fiscal year 2013 budget and that it also needs to continue the programs that are developing technologies that have high promise of making the remediation programs more cost effective. A decade of investment by the Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program has yielded technologies that can discriminate between UXO and harmless metal objects with a high degree of reliability. This is a remarkable achievement provides the potential to dramatically accelerate the pace of remediation for UXO within available funds. If confirmed I will continue to support these programs and work to ensure that they are adequately funded and effectively executed.

*Question.* How might the SERDP help with the overall progress of the Defense Environmental Restoration program, particularly in view of the current fiscal environment?

Answer. SERDP is DOD's environmental science and technology program; its mission is to address high priority cross-service environmental requirements and de-

velop solutions to the Department's most critical environmental challenges. SERDP is an R&D program that is aimed directly at reducing DOD operating costs. SERDP has allowed the Department to avoid spending billions of dollars for environmental cleanup, environmental liability and weapons system maintenance. If confirmed, I will continue to support this high payoff investment.

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 USD(AT&L)?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JIM WEBB

COMPETITION IN PROCUREMENT AND ACQUISITION

1. Senator WEBB. Mr. Kendall, it is commonly agreed that competition is the strongest tool for driving innovation and lower prices in defense procurements and acquisition programs. Do you agree?

Mr. KENDALL. I agree and believe that competition is a cornerstone of the acquisition system with benefits that are well established. Competition provides a powerful tool to drive innovation and lower prices. Dr. Carter and I emphasized competition under the "Better Buying Power Initiative" to promote real competition and obtain greater efficiency and productivity in defense spending and if confirmed, I would continue to do so. Even in those cases where head to head competition isn't economically viable, the Department can create a competitive environment as an incentive to industry.

COMMON DATA LINK SYSTEMS

2. Senator WEBB. Mr. Kendall, industry representatives assert that the Department of Defense (DOD) and the Military Departments have failed to follow policies created to stimulate competition for contracts for Common Data Link (CDL) systems by relying on sole-source contracts favoring one company's proprietary, non-standard waveforms. Is this an accurate characterization? If so, why did DOD allow an environment to evolve that stifles competition?

Mr. KENDALL. I am familiar with the situation with regard to the CDL and have been working with the Military Departments to address it. It was brought to my attention by industry, and I believe there is a legitimate concern here. The Department advocates open competition for system acquisitions, and is currently assessing CDL system procurement practices in several respects in an effort to improve competition. The first is to make certain that no vendor-proprietary or undocumented interfaces are being cited as requirements or evaluation criteria in the Department's CDL system solicitations. The second is to ensure that as DOD advances its CDL standards, the Department maintains a broad industry base from which it seeks innovation. Finally when CDL systems are procured as a subsystem within a platform, DOD should be confident that when the prime vendor investigates suitable sources for CDL-compliant systems these vendors are competitively selected. Indus-

try inputs and suggestions for improvement are being sought as part of this assessment.

3. Senator WEBB. Mr. Kendall, what will you do, if confirmed, to level the playing field within DOD and the Military Departments to ensure there are viable competitors for the CDL systems that are mandated for transmitting intelligence, surveillance, and reconnaissance data?

Mr. KENDALL. If confirmed, I will continue to work to ensure that the Department evaluates all future CDL procurement opportunities in the Department's plans for competition. DOD is working to ensure there are multiple qualified vendors prior to issuing solicitations. For example, one of the threshold requirements for many CDL procurements is having National Security Agency (NSA) certification of vendors' encryption solutions in their products. DOD is working with NSA to assist vendors in achieving this Type 1 certification. Also, the Department will identify and address any proprietary or undocumented interfaces that could limit greater competition. If confirmed, I will also ensure that the Department evaluates all future CDL-like procurement opportunities for competition. I will continue to work to ensure that procurements like CDL, which are intended to be open system and open interface based, will in fact be acquired so that proprietary restrictions on competition are avoided.

4. Senator WEBB. Mr. Kendall, many CDL terminals, systems, and platforms are said to be purchased with proprietary and undocumented waveforms and features that create a non-CDL standard and thereby tend toward a monopoly. How will you address this impediment to competition that DOD has created by purchasing and fielding these proprietary features?

Mr. KENDALL. If confirmed, I will use the Department's assessment of CDL system acquisitions to identify ways to minimize and potentially eliminate the use of proprietary interfaces. If the functions provided by these proprietary items are determined to be essential, a DOD standard non-proprietary version can be developed. The Common Control Interface effort for the terminal control interfaces is an example of this approach. If confirmed, I will work to ensure that future CDL procurements are based on open standards and interfaces without proprietary restrictions. If confirmed, I will work to ensure that the Department reviews Service CDL solicitations to ensure proprietary features are not used to unfairly limit competition.

5. Senator WEBB. Mr. Kendall, in the past, DOD has used dual-source mandates and second-source arrangements to spur competition and to maintain a healthy industrial base. Can you adopt these practices for CDL products?

Mr. KENDALL. Yes, if the business case supports multiple sources. If confirmed, I will continue to look for opportunities to reduce cost through competitive sourcing including the use of multiple suppliers where the procured quantities are adequate to justify multiple sources. I will also continue to look for opportunities for commonality across platforms that will increase the opportunities for competitive sourcing.

6. Senator WEBB. Mr. Kendall, would multiple sources not reduce costs and increase competition?

Mr. KENDALL. The use of multiple sources and competition could reduce cost if enough CDLs are acquired so that the costs of establishing a second source are less than the savings that can be achieved through competitive incentives.

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## QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

### DOMESTICALLY PRODUCED METALS

7. Senator HAGAN. Mr. Kendall, as you are aware, DOD in early 2008 initiated a rulemaking seeking to weaken longstanding requirements that armor steel plate procured by DOD be melted domestically. Specifically, DOD put forth and subsequently finalized a definition of "produced" that allows armor plate to be made with metals melted and rolled outside of the United States, yet considers that armor plate domestic if it simply goes through finishing processes in the United States. Because the new definition disregards the most capital- and labor-intensive portion of production, the melt stage, it puts at risk valuable jobs and technology, jeopardizing the future ability of U.S.-based armor plate producers to meet the demands of the military. It may also lead to increased dependency on unreliable foreign suppliers.

The National Defense Authorization Act (NDAA) for Fiscal Year 2011 required a review and, if necessary, revision of the existing regulation to ensure the definition of "produced" is consistent with congressional intent. In response to DOD's request for comment in the course of its review, seven Senate colleagues and I wrote a bipartisan letter to Secretary Panetta reaffirming our support for a return to the longstanding requirement that specialty metals be melted in the United States. Thirty-three of our colleagues in the House of Representatives sent a similar bipartisan letter to DOD. Despite the fact that your review was required to be completed by early October 2011, the review has not been completed. Can you please tell me when DOD plans to finalize its long-overdue review of the definition of "produced", as it relates to armor plate?

Mr. KENDALL. DOD is reviewing the regulatory definition of "produced" in accordance with section 823 of the Ike Skelton NDAA for Fiscal Year 2011. The Department published a Federal Register Notice requesting public comment regarding this definition that closed in October 2011. The Department is considering all public comments as well as communications from Members of Congress before making a recommendation on whether a change to the definition of "produced" is required. The Department's working group will make its recommendation by June 2012. If a revision to the definition is recommended, the Department will submit a proposed rule for public comment.

8. Senator HAGAN. Mr. Kendall, will DOD revise the definition of "produced" to require that armor steel plate be melted in the United States, in light of well-documented congressional intent?

Mr. KENDALL. The Department is considering all public comments and the positions expressed by Members of Congress before making a recommendation on whether or not a change to the definition of "produced" is required. If a revision to the definition is recommended, the Department will submit a proposed rule for public comment.

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QUESTIONS SUBMITTED BY SENATOR MARK BEGICH

RARE EARTH MINERALS

9. Senator BEGICH. Mr. Kendall, according to the rare earth report submitted to Congress by DOD, the United States could have the capability to meet all of DOD's rare earth demands by 2013. It's well known that only one company expects to have significant U.S. production capacity in 2012 and may not produce heavy rare earths, instead sending product to China for finalizing the finished product. Heavy rare earths are critical for defense systems. I'm very concerned that our strategy is to rely on heavy rare earths processed in China and these materials will be subject to Chinese export quotas. This is especially disturbing since the United States/Japan and the European Union are engaged in a World Trade Organization (WTO) case against the Chinese. Please describe your position on our reliance on production in China as a plausible long-term strategy to meet our rare earth demand for national security requirements. What steps is DOD taking to encourage production of heavy rare earths here in the United States?

Mr. KENDALL. DOD does not intend to rely on Chinese production of rare earth materials as a long-term strategy to meet rare earth element needs. As you note, the United States Government has undertaken action at the WTO to address concerns about the availability of rare earth materials in world markets. Market forces have also been working in ways that significantly affect the domestic availability of rare earth materials. Over the past 2 years, one U.S. company has established a domestic supply chain of rare earth materials from mine to metal/alloys, another company has begun construction of a neodymium-iron-boron magnet facility in North Carolina, and a third company just announced that it is pursuing the acquisition of land in Louisiana for the purpose of producing rare earth oxides from the mine it is developing in Canada. The Department is carefully monitoring these developments as part of its effort to ensure the availability of rare earth materials to the defense industrial base. I believe the Department's plan to pursue a three-pronged approach to this important issue is the best approach. The three prongs are: diversification of supply, pursuit of substitutes, and a focus on reclamation.

10. Senator BEGICH. Mr. Kendall, I'm also concerned that DOD isn't taking the rare earth issue seriously. The required report was over 8 months late and the front cover notes it cost $4,230 to provide this five-page report. Is this a serious analysis?

Mr. KENDALL. I believe that the Department's analysis of the availability of rare earth materials was a serious analysis. Over 80 organizations and subject matter experts were contacted for information for this report. In addition to the Military Services input, the assessment included input and consultation with the Department of Commerce (DOC), U.S. Geological Survey (USGS), U.S. Government Accountability Office (GAO), the U.S. Trade Representative (USTR), and the Department of Energy (DOE), as well as a myriad of rare earth subject matter experts and industry organizations.

I believe that the final report should be viewed in conjunction with the significantly longer interim report provided to Congress in August 2011 and information provided at several related briefings to Congress. In my view, taken together, these activities seriously addressed the issue of assessing the rare earth material supply chain and the availability of material versus demand from the defense industrial base.

11. Senator BEGICH. Mr. Kendall, what were the man-hours involved in this report over the 14 months used to produce it?

Mr. KENDALL. My understanding is that the total level of effort and time required for the Department's review of rare earths has been substantial and included not just the direct man-hours for preparing the final report, which were modest, but a host of other activities that were not considered direct costs for the preparation of the report. The cost of those other contributing activities is not included in the figure cited in the report.

12. Senator BEGICH. Mr. Kendall, what were the technology requirements, data calls, analysis performed, and the outside expertise required under contract?

Mr. KENDALL. Analytic support for the Department's review of rare earths was provided primarily by the Institute for Defense Analyses, a Federally Funded Research and Development Center. Extensive data were received from USGS.

Over 80 organizations and subject matter experts were contacted for information for this report, including the Military Services, other defense agencies, DOC, USGS, GAO, the USTR, and DOE, as well as rare earth subject matter experts and industry organizations.

In addition, input was sought from DOD organizations, other Federal departments and agencies, and a range of industry representatives concerning which rare earth materials met the criteria identified in section 843 of the NDAA for Fiscal Year 2011. These organizations were also asked to offer recommendations as to how to mitigate vulnerabilities for materials they identified as meeting the key criteria.

13. Senator BEGICH. Mr. Kendall, how did you involve the China experts, either inside DOD or outside?

Mr. KENDALL. Outside of DOD, the USGS's rare earth materials expert and its China expert were consulted regarding Chinese production and consumption patterns, policies and trends. Also, China analysts from the Joint Staff and from the intelligence community were directly involved in the assessment process, including eliciting their judgments as to which rare earths met the criteria of section 843 of the NDAA for Fiscal Year 2011.

14. Senator BEGICH. Mr. Kendall, how many hours, in reality, did it take to produce this five-page report and why was it so late?

Mr. KENDALL. Sixty-seven man-hours are attributable solely to the five-page report. This represented a small component of the Department's overall review. The extent of that review led to the delay in completing the full reporting requirement.

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## QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

### HANDHELD, MANPACK, AND SMALL FORM FIT RADIOS

15. Senator GILLIBRAND. Mr. Kendall, in this constrained fiscal environment it is always important to ensure there is a focus on competition and innovation where it makes sense. Given that the network is one of the Army's top priorities, can you provide insight into how you are structuring the Joint Tactical Radio System (JTRS) Handheld, Manpack, and Small Form Fit (HMS) program so you are able to include commercially developed JTRS solutions in a competition?

Mr. KENDALL. The JTRS HMS development contract was originally competitively awarded and had a requirement to qualify two Program of Record (POR) vendors for competition in full rate production for each variant. As the program has pro-

ceeded, various vendors have worked on their own to develop competitive alternatives to the PORs. These are essentially commercially developed alternatives. Where possible, future procurements will be conducted using full and open competition so that these vendors can offer their products.

16. Senator GILLIBRAND. Mr. Kendall, is the Navy's RDT&E program of record HMS radio on target this year, such that all of the requested funding for fiscal year 2013 will be needed?

Mr. KENDALL. Yes. This funding is needed to complete Manpack radio development, testing, evaluation and to provide a Mobile User Objective System (MUOS) capable terminal. If HMS does not receive full RDT&E funding in fiscal year 2013, the program will not be able to complete MUOS development or the related MUOS testing. Without this funding there will not be a MUOS ground terminal available for the DOD to use with the current MUOS satellite on orbit and subsequent satellites due to launch in the summer of 2013 and beyond.

17. Senator GILLIBRAND. Mr. Kendall, a recent article suggests that the Manpack Limited User Test (LUT) conducted during the summer 2011 Network Integration Evaluation did not collect adequate data about the Manpack due to inappropriate procedures. Please tell me what the issues were, how they will be corrected, and how this delay impacts the RDT&E schedule for fiscal year 2012–fiscal year 2013.

Mr. KENDALL. My understanding is that the Army Test and Evaluation Command, Operational Test Command, conducted the Manpack Limited User Test (Manpack LUT) from June 20–July 9, 2011 at White Sands Missile Range, New Mexico in accordance with a Director, Operational Test & Evaluation-approved operational test plan. The Manpack LUT proved to be adequate for assessing the effectiveness and survivability of the Manpack, but inadequate for assessing reliability, availability, and maintainability (RAM). I understand that the data collectors did not ride in the vehicles with the test radios installed in accordance with the approved test plan, so RAM calculations were based on operator interviews instead of electronic data collection. I believe that this data was called into question because of the data collection process. In response, the Army implemented a revised test plan and reliability development growth program for the Manpack radio. I understand that the Army and program manager have made rapid adjustments to obtain the required test data. Based on this recovery plan, no schedule delays are currently expected.

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## QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

### MAJOR WEAPONS PROCUREMENT CONTRACTING

18. Senator MCCAIN. Mr. Kendall, from your responses to the committee's advance policy questions on excessive concurrency, fixed-price contracting, and multiyear contracting for major weapons systems, you seem to be more confident in the ability of DOD's processes, organizations, and people (i.e. skill-sets and core competencies) to identify, price, and manage risk than I am. Over the last decade or so, however, in terms of technology development, integration, and manufacturing, DOD has not been effective or consistent in identifying, pricing, and managing high risk in connection with its procuring major weapons systems. For this reason, I believe that until DOD fundamentally improves how reliably it addresses risk, it should eschew procuring high-risk major weapons systems. Then, it could pursue contracting strategies and methodologies conducive to procuring major systems with more demonstrably manageable degrees of risk.

If additional capability requiring the government to accept more risk must be procured, to the extent possible, DOD could then use a spiral development strategy to acquire that additional capability incrementally over a longer time horizon while delivering capability more directly benefitting the warfighter in the interim. While there may be some limited exceptions, like satellites and some ships, would you not generally agree with this position? If so, how would you affirmatively attempt to implement this view, if confirmed?

Mr. KENDALL. In general, I agree that the Department can frequently accept less exquisite, less high risk technological solutions, and that in the current budget environment it is essential that the Department focus on affordability in all acquisition programs. In cases where higher risk profiles are necessary to meet a critical operational need, incremental acquisition approaches may be appropriate. At the same time, there will continue to be cases where it is necessary for the Department to tackle technologically challenging problems to address significant new threats to na-

tional security. The Department needs to retain the flexibility to adopt the acquisition strategy most appropriate to the specific program or product. If confirmed, I will continue to insist that the Department realistically assess risks, tailor its acquisition strategies to appropriately address these risks, and support rigorous efforts to ensure the affordability and executability of acquisition programs.

NEW ARMY MAJOR WEAPONS PROCUREMENT

19. Senator McCAIN. Mr. Kendall, the Army has two prominent programs currently in the early stages of development: the Joint Light Tactical Vehicle (JLTV) and the Ground Combat Vehicle (GCV). Each has had its requirements substantially reduced to help ensure affordability. I am concerned that as these programs move forward in development, their requirements may change again, resulting—predictably—in major cost overruns. What confidence do you have that the requirements for JLTV and GCV are now stable?

Mr. KENDALL. Requirements definition and stability are key focus areas in both the JLTV and GCV programs. Both programs are well aware of the overriding need for an agreed set of technologically achievable, operationally relevant, sustainable, and affordable requirements. Both programs have affordability caps for production and sustainment. Other requirements may have to be traded away during the remainder of technology demonstration (TD) (for GCV) and engineering and manufacturing development (EMD) (for GCV and JLTV) to stay within those caps.

Specifically, the JLTV program executed a technology development phase that included competitive prototyping; The Army and the Marine Corps learned a great deal about the feasibility of requirements and made adjustments that are reflected in the current request for proposals. The requirements communities from both the Army and the Marine Corps, and supported by the Joint Requirements Oversight Council, conducted trades on the requirements. In the case of force protection, some requirement for JLTV was actually made more stringent. If confirmed, I will conduct a final review to ensure that requirements are stable prior to approving contract award and entry into EMD.

Similarly, the GCV program is executing a TD phase and Army will establish firm requirements before committing to EMD. As expected for this phase, important requirements trades are still in play. By the end of calendar year 2012, the outputs from each of the three core TD phase activities (AOA Dynamic Update, NDI Evaluation, and Contractor Design Teams) should converge and inform senior leadership on the operationally relevant requirements that are executable and affordable. Throughout the next year, Army teams will synchronize the results of all of these activities in a Configuration Steering Board and validation of the Capability Development Document (CDD) in support of the GCV Acquisition Strategy for EMD. If confirmed, I will ensure that requirements are stable before GCV enters EMD.

20. Senator McCAIN. Mr. Kendall, will you allow production decisions to be made prior to the prototyping and testing of these vehicles and/or their subsystems?

Mr. KENDALL. No. Production decisions will be informed by developmental testing including preproduction prototype testing. The JLTV program has a 33-month comprehensive EMD phase with 22 prototype vehicles per vendor to demonstrate performance. Results from the comprehensive test program including user evaluation, blast testing, and proof of reliability will inform down select for production. The GCV program is in the Technology Development phase. The program schedule anticipates a 4 year EMD period to refine designs and build and test prototypes before the production decision.

21. Senator McCAIN. Mr. Kendall, what confidence do you have in the Army's ability to effectively assess the technological risks associated with the maturity of weapons systems and GCV, in particular?

Mr. KENDALL. The Department as a whole, including the Army, still has room for improvement in assessing risk and technological maturity. However, the Army and the Department have made progress in recent years, and the Army does have the ability to effectively assess technological risks. If confirmed, it would be my responsibility to ensure that risk assessments are effectively conducted on GCV and other programs.

LATE MILITARY DEPOT REPORT

22. Senator McCAIN. Mr. Kendall, this committee directed your office in its report for the NDAA for Fiscal Year 2012 to provide to Congress no later than March 1,

2012, your views on a study conducted by the Logistics Management Institute on the capability of military depots to support future national defense requirements. When will we receive this report?

Mr. KENDALL. The Department provided this report on May 8, 2012.

23. Senator MCCAIN. Mr. Kendall, will the report satisfy all requirements requested by the committee?

Mr. KENDALL. Yes. The report provides a response from DOD addressing each of the major conclusions detailed in the LMI depot study. Specific legislative and policy changes are discussed, as well as the Department's efforts and approach to improving the efficiency of the organic depot maintenance enterprise. Official comments from the Military Services are included as an attachment to the report.

STARTING MAJOR WEAPONS PROGRAMS OFF RIGHT

24. Senator MCCAIN. Mr. Kendall, the main focus of the Weapon Systems Acquisition Reform Act of 2009 (WSARA), which applies to new programs and seeks to have major defense acquisition programs start off right, requires that early investment decisions be informed by realistic cost estimates, sound systems engineering knowledge, and reliable technological risk assessments. DOD has indeed started some new major programs since WSARA was enacted, or will do so in the near future. I would like to review a few of them with you. Please tell me what has been done to help ensure that they comply with these very important aspects of WSARA or how they are being structured now (or will be structured in the future) to minimize excessive cost-growth and schedule-delays.

- *Ohio*-class Ballistic-Missile Submarine Replacement Program—SSBN(X)
- Aerial Refueling Tanker Replacement Program—KC–46A
- Presidential Helicopter Replacement Program—VXX
- Long-Range Strike—LRS (formerly called Next-Generation Bomber—NGB)
- Ground Combat Vehicle—GCV
- Joint Tactical Radio System—JTRS, as restructured
- Amphibious Combat Vehicle—ACV (the successor to the cancelled Marine Corps program, Expeditionary Combat Vehicle—ECV)
- Joint High-Speed Vessel (JHSV)

Mr. KENDALL. Since WSARA was enacted, the Department has worked to ensure all programs reviewed comply with WSARA and that investment decisions are informed by realistic assessments of cost and risk. The Deputy Assistant Secretary of Defense for Systems Engineering, the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation, and the Director of Cost Analysis and Program Evaluation influence all new start programs and all major milestone decisions. The Joint Capabilities Integration and Development System incorporates combatant commanders' inputs. Acquisition strategies address competition strategies and prototyping considerations. The requested information about specific programs follows:

- *Ohio*-class Ballistic-Missile Submarine Replacement Program—SSBN(X)
  - The program received MS A approval in January 2011 and the ongoing development of the program is fully compliant with WSARA principles. The Navy is designing to the minimum capability that will satisfy the projected strategic requirement throughout the projected life of this new ship class. At MS A, affordability targets were established for average ship end cost (Hulls 2–12) of $4.9 billion and Operation and Sustainment cost per hull of $110 million (in CY$10, Navy shipbuilding indices). The program has established a dedicated Design for Affordability (DFA) group, consisting of NAVSEA and Electric Boat representatives to promote, review, and track DFA initiatives for Non-Recurring Engineering, Construction, and Operations and Sustainment. In PB13, the Navy delayed procurement of the lead ship 2 years from fiscal year 2019 to fiscal year 2021. The overall program cost will increase with inflation effects, however, the Department remains committed to meeting the affordability targets and to accomplishing the design and construction in the most cost-effective manner possible.
- Aerial Refueling Tanker Replacement Program—KC–46A
  - The Department has mitigated the program's risk by structuring the competitive development contract with both fixed price incentive (firm target) and firm fixed price components. The KC–46 development contract has an overall contract ceiling price of $4.9 billion. Boeing is fully responsible

for any cost growth beyond the $4.9 billion overall contract ceiling price. For production, firm fixed-price contract options are established for the first two low-rate initial production lots. The remaining 11 full-rate production options have not-to-exceed prices with equitable price adjustments. The commercial-derivative nature of the KC–46 also contributes to controlling cost growth by allowing the Government to leverage commercial processes and parts pools. Boeing is strongly incentivized to deliver on its contract commitments and within schedule.

- Presidential Helicopter Replacement Program—VXX
  - The Navy has conducted an extensive Analysis of Alternatives under guidance from Cost Assessment and Program Evaluation (CAPE). Those activities have provided data on cost estimates, systems engineering assessments, and insights into technical risks, ways to leverage In-Service investments to reduce risk and minimize change for the users and operators, and opportunities for in-house risk reduction efforts that will result in ownership of data rights and key interfaces for the communications suite. This analysis will lead to a program strategy for the Presidential Helicopter Replacement Program that is compliant with WSARA and structured to avoid cost growth and schedule disruption.
- Long-Range Strike (LRS)
  - The program has incorporated cost estimation, systems engineering, and technological risk guidance by CAPE, and the Offices of the Deputy Assistant Secretaries of Defense, Systems Engineering (SE) and Developmental Test and Evaluation (DT&E). The cost cap of $550 million aircraft will be used to control requirements creep and ensure an affordable design.
- Ground Combat Vehicle (GCV)
  - GCV was approved for MS A on August 17, 2012. The Defense Acquisition Board considered the requirements, resources, and schedule and established affordability targets for the GCV Program in both the investment and O&S phases of the Program. Additionally, a three-prong strategy that builds towards an informed Milestone B and Engineering and Manufacturing Development Phase. The Department will continue to review the AOA's cost informed trades, evaluate potential Non-Developmental Items (including international sources), and conclude a 24-month TD phase with two potential GCV candidates.
- Joint Tactical Radio System (JTRS)
  - JTRS is a family of five ACAT I–D acquisition programs established to provide software programmable, networking radios for communication at the last tactical mile—this includes tactical networking communications for airborne, vehicular, maritime and dismounted forces. The JTRS programs have struggled to complete development and enter production, but that process is now well underway. In some cases requirements have been relaxed to permit lower cost competitive products that industry has developed in parallel with the programs of record to be considered for production. Overall, the JTRS program is over 80 percent complete in terms of development and with two hardware programs post-Milestone C (HMS Rifleman Radio and MIDS JTRS). MIDS has recently been approved for Full Production and Fielding (FP&F) and HMS is scheduled to have an FP&F decision this year. The JPEO JTRS organization is now following an enterprise business model designed to increase competition. JTRS is moving toward a non-developmental item (NDI) acquisition strategy. The JTRS Ground Mobile Radio (GMR) program underwent a Nunn-McCurdy breach assessment in 2011, resulting in a decision by the Milestone Decision Authority (Mr. Kendall) to terminate the program of record and pursue an NDI acquisition strategy to meet essential requirements at an affordable cost under the auspices of the Army's Mid-Tier Networking Vehicular Radio (MNVR) Program.
- Amphibious Combat Vehicle (ACV)
  - In January 2011, the Marine Corps formalized a Systems Engineering-Operational Performance Team SE–OPT (SE–OPT) specifically to address affordability in accordance with WSARA principles. The SE–OPT culminated in December 2011, when the Navy entered into the Materiel Solution Analysis phase. The ACV program will follow a highly tailored acquisition approach structured to provide the most cost-effective program.
- Joint High-Speed Vessel (JHSV)

- The JHSV received MS B approval in November 2008, just prior to enactment of WSARA; however, the program is addressing all applicable (i.e., post-MS B) WSARA principles. The JHSV program was informed by prior high speed vessel experimentation programs (e.g. Swift, Westpac Express) and is a modification to a non-developmental commercially derived high speed ferry design, thus reducing developmental risk. Although the lead ship has experienced cost and schedule growth, the shipbuilder's performance on the following JHSVs is improving. Due to investment in a modular manufacturing facility which supports efficient construction, and use of a fixed price incentive contract, follow on JHSVs are expected to deliver as planned at or below target contract costs.

25. Senator McCain. Mr. Kendall, while the Joint Strike Fighter (JSF) is, of course, not a new start, it is critical that it be restructured to comply with WSARA's key requirements (on realistic cost estimates, sound systems engineering, and reliable risk assessments). In what sense has it been restructured along these lines?

Mr. Kendall. The Department fully supports the organizational and policy changes enacted in the Weapon System Acquisition Reform Act (WSARA) for all DOD acquisition programs, including the F–35 JSF. The Department's goals with respect to WSARA are the same for all acquisition programs: implement all of the applicable acquisition policy measures called out in WSARA and integrate WSARA organizational changes into the oversight of the program. The majority of the actions required to achieve these goals in the F–35 program have been completed.

Subsequent to the passage of WSARA in May 2009, the F–35 program was the subject of numerous reviews, culminating in a Nunn-McCurdy critical cost breach certification review that was guided by the acquisition reform principles founded in WSARA. The cost and schedule assessment reviews were led by the WSARA-formed Office of the Director, CAPE. The Nunn-McCurdy review and certification of the F–35 program was guided by process improvements institutionalized in WSARA, to include the participation and assessments of the Office of Performance Assessment and Root Cause Analysis, and the Offices of the Deputy Assistant Secretaries of Defense for Systems Engineering (SE) and Developmental Test and Evaluation (DT&E). Additionally, the F–35 program has instituted a renewed emphasis on sound systems engineering principles, realistic cost and schedule estimating, a reenergized focus on integrated test and evaluation, and implementation of tighter cost control measures; all of which can be traced directly to WSARA principles. Following the Nunn-McCurdy certification, and statutorily-directed rescission of Milestone (MS) B, the F–35 program conducted a bottoms-up Technical Baseline Review to determine a realistic cost, schedule, and risk basis for completing the developmental phase of the program, in which the Offices of the Deputy Assistant Secretaries of Defense, SE and DT&E, participated. These organizational and policy changes in WSARA were instrumental in the completion of the thorough review of the F–35 program that resulted in Nunn-McCurdy certification on June 2, 2010.

WSARA-implemented organizational changes were leveraged in the November 2011 F–35 Concurrency Quick Look Review (QLR), commissioned by the Acting Under Secretary of Defense (AUSD) for Acquisition, Technology and Logistics (AT&L). This review was led by Performance Assessments and Root Cause Analyses (PARCA), SE and DT&E, and found the overall F–35 design to be sound, but that there is significant risk remaining in the F–35 program. It is necessary to increase confidence in the design before production rates can be increased. The Department used the result of the QLR to inform the fiscal year 2013 Future Years Defense Program, which holds U.S. production at 29 aircraft per year through 2014 to permit additional progress on the test program before increasing production.

The enactment of WSARA has directly influenced F–35 program planning, documentation and execution that led to the AUSD(AT&L) approval of a new MS B in March 2012. Two Defense Acquisition Board (DAB) reviews of the F–35 program were conducted in January and February 2012 with full involvement of CAPE, PARCA, SE and DT&E. Per WSARA, CAPE cost estimators worked closely with the program office as they developed the Independent Cost Estimate and reviewed the program office estimates. This culminated in concurrence from the Director, CAPE, with the AUSD(AT&L) choice of cost estimate for the program. PARCA has completed three semi-annual performance assessments of the F–35 program since 2010. In accordance with WSARA, these assessments will occur semi-annually until at least March 2013; the next assessment is planned for July 2012.

The remaining actions to fulfill the overall goal involve continual interaction between the WSARA-instituted organizations and the F–35 program office. To that end, I have planned for an F–35 DAB review in September 2012, with annual reviews to follow. Additionally, I have directed the AT&L (L&MR) and CAPE to con-

tinue to work with the Services and the F–35 program office to identify and quantify opportunities to reduce operating and support costs for the program's life cycle.

MEDIUM EXTENDED AIR DEFENSE SYSTEM PROGRAM

26. Senator MCCAIN. Mr. Kendall, a few days ago, I sent Secretary of Defense Panetta a letter asking him to explain DOD's position on the Medium Extended Air Defense System (MEADS) program. There is ambiguity between how I thought DOD was going to approach the program, which would comport with the requirements under the NDAA for Fiscal Year 2012, and Secretary Panetta's recently announced desire to keep our contractual obligation with our partner nations. Please provide me with an update on MEADS and your plans, if you are confirmed, for negotiating with our partners in the program on a lower-cost option that limits the program to no more than the funding appropriated in fiscal year 2012—as directed under the NDAA for Fiscal Year 2012.

Mr. KENDALL. In accordance with the requirements of section 235 of the NDAA for Fiscal Year 2012, the Department has repeatedly consulted and attempted to negotiate with the German and Italian participants regarding development of a plan to restructure the program to make U.S. fiscal year 2012 funding the Department's final obligation for the program. The Department informed the German and Italian participants that there is significant risk that fiscal year 2013 funding may not be made available by Congress. In response, they have informed the Department that they remain fully committed to their MOU obligations and expect that all three participants will provide their 2013 funding to complete the PoC effort. The Department has provided the plan required by the NDAA for Fiscal Year 2012. The plan relies on the provision in the MEADS MOU that limits partner obligations to appropriated funding. The administration requested funding in the fiscal year 2013 budget to complete U.S. international obligations under the MEADS Design and Development Memorandum of Understanding (MOU), as required by the terms of the MOU, and the administration continues to believe that fulfilling this commitment is the best course of action.

MILITARY SPACE PROCUREMENT POLICY

27. Senator MCCAIN. Mr. Kendall, in your responses to the advance policy questions, you indicated that introducing more competition for launch as soon as feasible is the key to controlling spiraling launch costs. Also, you cited a dual-prong approach the Air Force is taking to: (1) implement a block-buy acquisition strategy to purchase economic order quantities; and (2) provide a path to qualification of new entrants into the National Security Space (NSS) launch market. As a general proposition, how is a long-term block-buy from a sole-source supplier consistent with the notion of qualifying new entrants?

Mr. KENDALL. At this time, no new entrants have been certified to compete for NSS launch missions, and based on market research, the Department believes that it will be a number of years before a new entrant will be capable of achieving certification for NSS launch missions. During this period of time, the Department must continue to rely on the sole certified provider, the United Launch Alliance (ULA), to inject NSS payloads into their mission orbits. The block-buy acquisition strategy is intended to control ULA's costs, while potential new entrants achieve certification under the New Entrant Certification Strategy. If any new entrants achieve certification earlier than currently estimated, requirements above the contract commitment will be met through a full-and-open competition among all certified providers.

Only one potential new entrant has stated an intention to qualify for future NSS launch missions, and based on their current DOD- and NASA-funded launches, combined with their commercial launches and assuming the success of these missions, the Air Force expects that firm to achieve certification to compete for future NSS missions by 2017. This coincides with phase 2 of the EELV acquisition strategy, during which launch missions will be competed under existing source-selection processes. However, in order to facilitate the certification of potential new entrants, the Air Force has identified two opportunities that providers may bid on—the Space Test Program (STP)-2 and the Deep Space Climate Observatory (DSCOVR) missions which were funded by Congress in fiscal year 2012. These EELV-class missions have a higher risk tolerance and will provide an opportunity for potential new entrants to prove their capability for certification.

28. Senator MCCAIN. Mr. Kendall, to what extent would DOD be subjected to substantial termination liability should it elect to procure launch services from new entrants during the duration of the block-buy procurement period?

Mr. KENDALL. My understanding is that the Air Force released a request for proposal in March 2012 requesting cost proposals that cover a range of launch rates and term durations. The contract is structured as a requirements contract with variable pricing that recognizes Congress may not authorize/appropriate funds for the planned amount. If the planned amount is funded, the Air Force must buy the launches from United Launch Alliance. If fewer launches are authorized and appropriated, there is no termination liability but the Air Force must still buy the launches from United Launch Alliance. A new entrant could be given launches in excess of the annual planned launches in the contract. As with any contract if the quantities are reduced after they've been funded, there is termination liability. If confirmed, I will work with the Air Force to minimize those liabilities.

29. Senator MCCAIN. Mr. Kendall, to what extent could a new entrant compete for launches that have been bought during the block-buy?

Mr. KENDALL. My understanding is that only one potential new entrant has stated an intention to achieve certification, and an Air Force analysis of that firm's manifest suggests that they will likely not achieve certification before 2017, which will be after the initial block-buy and during the period of new-entrant competition (phase 2) under the Evolved Expendable Launch Vehicle acquisition strategy. If this potential new entrant or another achieves certification prior to the end of the initial block-buy, they would be eligible to compete for launch missions over those already committed to in the planned block-buy contract.

30. Senator MCCAIN. Mr. Kendall, to what extent should the Air Force contemplate off-ramps from the block-buy?

Mr. KENDALL. My understanding is that off-ramps will be negotiated under the initial block-buy contract. The Air Force released a request for proposal March 23, 2012 requesting cost proposals that cover a range of launch rates and durations. Based on that data and independent analysis, the Department plans to award the first block-buy contract at the rate, duration, and with termination conditions (i.e., off-ramps) that, together, offer the most advantageous terms to the Government.

31. Senator MCCAIN. Mr. Kendall, if the block-buy results in excess inventory, as has historically been the case, what specific launch opportunities will be open to competition under those circumstances?

Mr. KENDALL. My understanding is that analysis of satellite readiness for launch indicates that the rate of 6–10 cores per year over 3–5 years that is anticipated under the block-buy is insufficient to meet the expected demand. This makes it likely that there will be launches available for competition. Although the Department has experienced launch delays in the past, some of the circumstances that led to lower than expected launch rates no longer exist. The National Security Space enterprise is entering a period where several constellations of satellites are now in full-scale production, so a full launch manifest is anticipated for the foreseeable future.

32. Senator MCCAIN. Mr. Kendall, in your responses to the advance policy questions, you cited your decision to reinstate the Evolved Expendable Launch Vehicle (EELV) as a major defense acquisition program (MDAP) not in sustainment so that there will be greater visibility into the programs status, in compliance with the NDAA for Fiscal Year 2012.

Why should I not be concerned that the new acquisition program baseline for EELV will not contemplate a large block-buy, which would suppress the overall acquisition unit cost estimate for booster cores?

Mr. KENDALL. I have taken action to reinstate EELV as required by the NDAA. The Air Force will be required to establish a new "original" acquisition program baseline (APB) for EELV for a restructured program. The new APB will be based on the restructured program and will most likely include the block-buy approach called for in the current Air Force EELV acquisition strategy. If confirmed, I will ensure that the APB reflects the Department's best estimate of program costs and is consistent with the planned acquisition strategy.

DEVELOPMENTAL TESTING

33. Senator MCCAIN. Mr. Kendall, the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation (DASD(DT&E)) has two distinct reporting chains. For DT&E matters the DASD(DT&E) reports to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) through the Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) and for Test Resource Management Center (TRMC) matters the DASD(DT&E) reports directly to the USD(AT&L). This appears to be a rather cumbersome management arrangement in which the DASD(DT&E) has two masters. Is it your view that this is efficient, appropriate, and effectively furthers the underlying intent of WSARA?

Mr. KENDALL. The Department has adopted an organizational structure consistent with the intent of WSARA and with most efficient and effective performance of the test and evaluation function.

The DASD(DT&E) has direct access to advise me as the Acting USD(AT&L) on all matters relating to developmental test and evaluation within the Department, and has acted in this capacity on numerous occasions. This includes direct participation in all major program milestone decisions. I particularly rely on the DASD(DT&E) for advice on the demonstrated maturity of designs and verification that requirements are being met prior to entering initial production and on the adequacy of planned test programs at the beginning of Engineering and Manufacturing Development. The reporting chain through ASD(R&E) allows for alignment between DT&E and Systems Engineering efforts within the Department. There are similar arrangements for other functional leads within AT&L and after 2 years of working with this arrangement I believe it is an effective structure.

The DASD(DT&E) adds a critical capability to AT&L allowing the Department to ensure that developmental test programs are properly and realistically designed to evaluate performance against requirements, as WSARA intended. Likewise, with the dual-hatting of the DASD(DT&E) as the Director of the Test Resource Management Center, the DASD(DT&E) has direct access to advise me on test resourcing issues.

34. Senator MCCAIN. Mr. Kendall, if confirmed, what actions, if any, would you take to make management of the DASD(DT&E) office more efficient?

Mr. KENDALL. The DASD(DT&E) office is operating as an efficient operation, including leveraging expertise from the Test Resource Management Center (TRMC). In January 2012, I approved a reorganization of DT&E and TRMC that formalized these efficiencies. The DT&E office has grown substantially since WSARA was passed and I believe it is now at an appropriate size, however, if I am confirmed I will continue to monitor the effectiveness of this office to see if adjustments are needed within the overall USD(AT&L) resources.

35. Senator MCCAIN. Mr. Kendall, DOD has over $1,000 acquisition programs of which approximately 300 are under DOT&E oversight and less than 40 are currently under DASD(DT&E) oversight. The GAO has indicated that the DASD(DT&E) requires additional staff to properly fulfill its statutory requirements. If confirmed, what actions, if any, would you take in this time of declining budgets to ensure the DASD(DT&E) has the resources it needs to effectively discharge its statutory responsibilities?

Mr. KENDALL. All DOD acquisition programs are in a sense under DT&E oversight, as is the developmental test career field across the Department. DT&E involvement in programs is highest during the planning for an execution of the Engineering and Manufacturing Development phase, with which DT&E is most concerned. This applies to a subset of all acquisition programs.

I believe the fiscal year 2013 President's budget request for OSD/DT&E manpower and funding provides adequate resources to support the responsibilities of the office. I also believe that the Department has effectively used available resources to add capacity and bring technical depth into the office. These resources increased the capacity of DT&E and have enabled the office to share best practices across the Department, particularly with Military Service test organizations and program offices. If confirmed, I will continue to assess the effectiveness of this office and make adjustments as necessary.

JOINT CAPABILITIES AND INTEGRATION DEVELOPMENT SYSTEM

36. Senator MCCAIN. Mr. Kendall, in your written responses to the advance policy questions, you refer to an updated policy for the Joint Capabilities and Integration Development System (JCIDS) that in part establishes a Joint Emergent Operational

Needs (JEON) process intended to meet the urgent needs for future contingency operations. How do you define a "near-term, high-risk contingency" that underpins the determination for a JEON?

Mr. KENDALL. The Chairman's Joint Capabilities and Integration Development System (JCIDS) instruction that I referenced defines a JEON as an urgent operational need "identified by a combatant command as inherently joint and impacting an anticipated or pending contingency operation." Urgent Operational Needs are further defined as capability requirements that if left unfulfilled, potentially result in loss of life or critical mission failure. My understanding is that JEONs provide the combatant commanders (COCOMs) a means of identifying capability gaps that they view as urgent but that are not associated with a current contingency.

37. Senator MCCAIN. Mr. Kendall, how do you distinguish an anticipated or pending contingency operation?

Mr. KENDALL. My understanding is that the most critical distinction in regards to a JEON in comparison to a Joint Urgent Operational Need (JUON), is that a JEON is not associated with a current contingency operation as defined in title 10, U.S.C., section 101(a)(13), but rather is associated with a possible future contingency. The distinction between "pending" and "anticipated" is purely temporal, with "pending" being viewed as the nearer-term possibility. I do not consider "anticipated" to necessarily imply a high likelihood of occurrence.

38. Senator MCCAIN. Mr. Kendall, how is a requirement that may take 6 years to obtain considered near-term or urgent?

Mr. KENDALL. My understanding is that the intent of the Department's rapid acquisition processes is to deliver capabilities needed to satisfy both JUONs and JEONs in less than 2 years. I believe that the 5-year mark, 6 if you include the time it takes to conduct the assessment, obtain the resources and place a contract, was intended simply to allow for consideration of multiple near and midterm alternatives in some possible solutions. There may be cases where the consequences of a gap are so severe and the likelihood of the risk so high, that the leadership of the department needs to initiate actions outside of the normal planning, programming, budgeting and execution cycle even if the delivery of a capability may take more than 2 years. There are examples from my experience during the Cold War where technological surprise was achieved by the Soviet Union that motivated urgent development programs that took well over 2 years to fielding. In those cases the sense of urgency was very real despite the time it took to field capability. These instances may be rare, but in my view the Department should have an established mechanism for dealing with them.

BETTER BUYING POWER AND LIFECYCLE COSTS

39. Senator MCCAIN. Mr. Kendall, section 805 of the NDAA for Fiscal Year 2010 regarding lifecycle management, called for product support managers to maximize competition and make the best possible use of available DOD and industry resources at the system, subsystem, and component levels. This provision was implemented through DOD's Directive-Type Memorandum on October 6, 2010. Can you provide examples where DOD's compliance with section 805 has led to competition at subsystem and component levels and a reduction of lifecycle costs?

Mr. KENDALL. Yes.

The Department of the Navy has pursued competitive strategies for major components in restarting the DDG–51 shipbuilding program to reduce life cycle cost. The Navy continues to pursue open architecture initiatives to achieve design stability, mature technologies and affordable solutions. Specifically, the Navy competed the production of the main reduction gear for the ships in a breakout strategy. This strategy avoided pass-through costs to the shipbuilders and established future competitive opportunities for this major component. In addition, the Cooperative Engagement Capability (CEC) Program is openly competing what has historically been a sole-source program. There are four separate contractual efforts: CEC system production; Common Array Block (CAB) antenna production; Signal Data Processor-Sierra (SDP–S) production; and Design Agent/Engineering Services (DA/ES). The CEC program's current "will cost" reflects an additional $200 million reduction in costs from prior years. CEC reduced the POM 13 CEC budget by $32.4 million by transitioning from the current design to a Common Array Block (CAB) antenna, which will be a family of common antennas across CEC platforms.

The Army awarded a competitive 5-year/multiple-year Family of Medium Tactical Vehicles requirements contract to Oshkosh that resulted in an average cost savings

of 28 percent over the previous sole-source contract. In addition, the Joint Tactical Radio System (JTRS) Enterprise Business Model is predicated upon fostering and leveraging competition in production. The Multifunctional Distribution Information System-Low Volume Terminal (MIDS–LVT) radio program initial radios started at $426,000 per unit. Through competition between the two approved vendor production sources, the radios have decreased steadily to a cost of only $181,000 per unit, which is a savings of nearly 60 percent on each radio. With over 2,600 units purchased by the Department, the total savings is almost $500 million.

40. Senator McCAIN. Mr. Kendall, if you are confirmed, how would you leverage the private sector's investment in commercial technologies and certifications to achieve efficiencies?

Mr. KENDALL. The pace of commercial technology development in some areas such as computing and wireless communications continues to outpace development of military unique technology. If confirmed, I will remain committed to implementing Modular Open Systems Architecture approaches in major systems, enabling the insertion of commercial technologies throughout a system's lifecycle. One key enabler in this effort is thorough market research to determine whether the Department's technological requirements can be met by industry, small business, or by commercially available, off-the-shelf products. Another key enabler is well structured acquisition strategies that provide effective open architectures and modular systems with well defined non-proprietary interfaces that are compatible with commercial or commercially derived products.

EXCESSIVE CONCURRENCY

41. Senator McCAIN. Mr. Kendall, a big problem with how DOD buys major systems is this: it has tended to go all in on these procurement programs without understanding enough about their technical or systems engineering to assess whether developing them may have too much risk. So, these programs struggle endlessly in development—where costs grow and schedules slip—without needed combat capability delivered. Far too often, DOD has tried to execute such programs under cost-plus contracts. In my view, this has been an utter disaster. Do you agree? If so, how would you address it?

Mr. KENDALL. My view is that there is still substantial room for improvement in the Department's management of development risk. The use of independent technology readiness reviews has been a positive step, however, these reviews alone do not adequately assess engineering and integration risks. The Department should not enter into major acquisition programs without a clear understanding of the technical risk and degree of complexity that the program involves and a well structured plan to manage that risk. If the risk is too great entry into EMD should be delayed until that risk is reduced. All development programs entail some degree of risk because by definition something is being created that didn't exist before the program, so there are inherent unknowns in every development program. The Department's acquisition approach, including contract type, must be tied a realistic assessment of the risk factors. The contract type does not by itself change the amount of risk; it attempts to allocate the risk between the parties. If confirmed, I will continue to strengthen the Department's technical capacity for assessing risk and managing risk through effective program management and systems engineering and through acquisition strategies that provide strong incentives to industry but also equitably allocate risk between industry and the Government.

42. Senator McCAIN. Mr. Kendall, if confirmed, what overall approach would you take to ensure that programs with too much concurrency are never started?

Mr. KENDALL. I firmly believe that the principal of "fly before you buy" is a well established best practice. When programs are started, I intend to ensure that the risk/benefit of any given degree of concurrent production and development is carefully assessed before program plans are approved and before production decisions are made. If confirmed, I will ensure that major weapons systems' program plans have clearly articulated criteria for entering low rate production based on design maturity and stability as demonstrated through developmental testing.

BIOFUELS REFINERIES

43. Senator McCAIN. Mr. Kendall, in March of this past year, the President directed the Departments of Agriculture, Energy, and the Navy to assist the development of a sustainable commercial biofuels industry using authorities in the Defense

Production Act. The Navy has pledged $170 million as their share of a $510 million effort to construct or retrofit biofuel refineries in order to create a commercially viable market. You mentioned in your answers to the advance policy questions that "The Defense Production Act Title III authority, the Industrial Base Innovation Fund (IBIF), and the Manufacturing Technology Program are three such resources to support critical capabilities that are at risk. These interventions should only be used in exceptional cases, which I believe will be rare."

In your opinion, do you consider the intervention of DOD in the biofuels refining industry to be an exceptional case? If so, please explain why, with specificity.

Mr. KENDALL. In my advanced policy question response I was referring to interventions intended to preserve existing manufacturing capabilities. Biofuel production is an emerging capability, putting it in a different category. Based on initial market research, there does appear to be a potential for biofuel projects to meet the Defense Production Act's statutory criteria.

Section 303 of the Defense Production Act of 1950 provides the President the authority to reduce current or projected shortfalls of industrial resources, critical technology items, or essential materials needed for national defense. Before any contract under this authority can be awarded, a determination must be made that the industrial resource, material, or critical technology item is essential to the national defense; and that without title III assistance, United States industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner. The determination is required to be made 30 days prior to a contract award.

As a large user of petroleum products, it is in DOD's long term interest to ensure that there will be liquid fuels available for DOD platforms, particularly for legacy fleets, which will be with the Department for decades to come. If confirmed, I will carefully examine biofuels proposals submitted for consideration under Defense Production Act title III in accordance with the statutory criteria.

44. Senator MCCAIN. Mr. Kendall, do you believe a biofuels refining capability is a critical capability that is at risk? If so, please explain why, with specificity.

Mr. KENDALL. I do not believe biofuels refining capability is an existing critical capability that is at risk. However, biofuels options, including refining capability, are emerging capabilities that are part of the Department's overall energy strategy. I do believe that the success of the Department's energy strategy, which focuses on improving energy efficiency and diversifying energy supplies, is critical to national security. Current processes for producing advanced drop-in biofuels are expensive, and the resulting high cost of the end product continues to limit market growth. Military and civilian end users of fuel have clear strategic incentives to adopt renewable drop-in fuels, but adoption is only possible when these fuels become cost-competitive. Proposals to improve the cost competitiveness of biofuels, therefore, could have a critical impact on the success of the Department's energy strategy.

45. Senator MCCAIN. Mr. Kendall, if confirmed, would you support the continued use of DOD funds to invest in the development of commercial refineries for biofuels?

Mr. KENDALL. If confirmed, I will carefully examine any proposed biofuels projects in accordance with the statutory criteria contained in the Defense Production Act of 1950, as well as other available authorities. I would also consider the Department's energy strategy and competing priorities before making any investment decisions.

46. Senator MCCAIN. Mr. Kendall, do you support the Secretary of the Navy's investments in the Great Green Fleet by 2016, which includes spending over $12 million last year for 450,000 gallons of biofuels, which equates to over $26 per gallon?

Mr. KENDALL. I support investments in improved energy efficiency and investments that would reduce the Department's dependency on petroleum. Of the $336 million that the Navy has budgeted for operational energy initiatives in fiscal year 2013, 86 percent is for energy efficiency. It includes efforts such as simulator upgrades, advanced engines, propeller coatings to reduce drag and hybrid-electric drives for ships. The Navy's proposed investments in alternative fuels make up 5.1 percent of their total proposed budget for operational energy initiatives. These efforts, which I do support, will fund research, development, demonstration, and evaluation of these fuels. For the long term, the military will need alternatives to petroleum. All the Military Departments have purchased or will purchase test quantities—like last year's Navy purchase—to certify their platforms for use with advanced alternative fuels. By doing so, the Military Services are positioning themselves to take advantage of these fuels when they are cost-competitive with conventional fuels.

CONGRESSIONAL ADDS

47. Senator MCCAIN. Mr. Kendall, the NDAA for Fiscal Year 2012 included almost $240 million for three unrequested programs—the Defense Rapid Innovation Program, the IBIF, and the Metals Affordability Initiative (MAI). Funding for these programs, however, has never been requested by DOD in previous budgets. Why has DOD never asked for funding to support any of these programs in any of its budget requests?

Mr. KENDALL. Congress established the Rapid Innovation Fund (RIF) in section 1073 of the Ike Skelton NDAA for Fiscal Year 2011, and the 2011 Defense Appropriation Act appropriated $500 million ($440 million research, development, test and evaluation (RDT&E) funds, and $60 million procurement funds) for the program. The Department implemented the RIF as a fully merit-based competitive program in strict accordance with Section 1073. The Department intends to evaluate the results of the fiscal year 2011 RIF funding before determining requirements for future funding of this program.

My understanding is that Congress established the IBIF in fiscal year 2008 as a partnership between the Industrial Policy (IP) office and Joint Defense Manufacturing Technology (ManTech) Panel, but funded it through a broader Defense Logistics Agency program element. Without its own program element, IP lacked infrastructure to build IBIF budget requirements for consideration in the Department's budget review process until ManTech and IP were realigned as MIBP in 2011. To date, IBIF has not appeared in a budget request but the Department recently took steps to allow for the consideration of funding in fiscal year 2014 and future years' budgets by establishing a new program element (0607210D8Z) exclusively devoted to applied research for industrial base sustainment.

I believe that the Air Force has requested funding for the MAI in every fiscal year since fiscal year 1999 within a program element titled "Advanced Materials for Weapon Systems" (0603112F). The funds requested in the budget were supplemented by congressional increases and industry matching in each of those years.

48. Senator MCCAIN. Mr. Kendall, why did DOD specifically not request funding for any of these programs in fiscal year 2013?

Mr. KENDALL. The RIF is a new effort and the Department did not have sufficient data about the program's overall effectiveness to warrant inclusion in the President's fiscal year 2013 PBR. Beginning in March 2013, the Department plans to conduct a comprehensive assessment to examine two areas for the projects funded through the fiscal year 2011 appropriation—the contractors' progress in meeting the stated cost, schedule, and technical goals; and the DOD program manager's strategy for transition of the project's technology into an end use product or insertion into an existing or planned acquisition program. This assessment will yield the necessary data for the Department to determine future funding requirements and to assess this program relative to other priorities.

Funding for IBIF was considered in the fiscal year 2013 budget review process, but funds were not requested because of the significant adjustments required by the Budget Control Act of 2011. Overall, funding for previously requested industrial base-related programs were maintained, but not increased in this process. The administration did include funding for related manufacturing technologies in the President's fiscal year 2013 budget request for the interagency National Network for Manufacturing Innovation (NNMI), which is outside the Department's budget.

I believe that the Department did request $3.9 million for MAI in the fiscal year 2013 budget request.

49. Senator MCCAIN. Mr. Kendall, if no funding is provided in fiscal year 2013, what would be the effect on each program and on the purposes for which these programs were originally intended?

Mr. KENDALL. Concerning RIF, there would not be an effect to any ongoing programs. RIF projects are intended to be executed within the available funding.

Without funding in fiscal year 2013, IBIF would suspend its reorientation to address niche concerns raised through the Department's Sector-by-Sector Tier-by-Tier (S2T2) effort. S2T2 helps identify when programs will not support the minimum sustaining rate that a niche supplier needs to provide a critical product. Such an endeavor aims at maintaining the health of selected essential parts of the defense industry, but is pursued only when: (1) the Department is highly likely to need a product in the future; (2) where the product would be prohibitively difficult and expensive to obtain after a hiatus; and (3) where affordable and innovative mechanisms are available to work with the producers in the interim.

Concerning MAI, it is my understanding that the MAI industrial consortium would have to stop seven metal alloy manufacturing technology projects prior to their completion if fiscal year 2013 funding is not provided.

50. Senator MCCAIN. Mr. Kendall, if confirmed, would you make it a priority to review the benefits of each of these programs?
Mr. KENDALL. Yes.

51. Senator MCCAIN. Mr. Kendall, if you find any of the programs to not be useful as to their intended purposes, would you inform this committee of such a determination?
Mr. KENDALL. Yes.

DEPOT PROVISIONS

52. Senator MCCAIN. Mr. Kendall, the NDAA for Fiscal Year 2012 contained two controversial provisions regarding military depots. Are you aware of the provisions?
Mr. KENDALL. I believe so. The first provision is the removal of the exception for nuclear refueling of aircraft carriers from the definition of depot-level maintenance. The former exclusion from the definition allowed for the exclusion of the refueling of nuclear carriers from both the Core and 50/50 statutes. With the changes to the law, such refueling would now fall within the scope of depot maintenance and both Core and 50/50 statutes would apply. However, the NDAA for Fiscal Year 2012 also provided the Secretary of Defense waiver authority, on the basis of economic feasibility and national security, for the requirement in Core Law. The revised 50/50 statute sets forth waiver authority on the basis of national security reasons.
The second provision is the removal of the exception for major modifications in the definition of depot-level maintenance. The statutory definition could now be improperly read to apply to the labor associated with all software and hardware modifications and upgrades to include those not maintenance related.

53. Senator MCCAIN. Mr. Kendall, to the best of your knowledge, what is the current status of DOD's implementation of these provisions?
Mr. KENDALL. On April 5, 2012, I issued NDAA for Fiscal Year 2012 Implementation Guidance, with regard to these provisions. The purpose of this guidance is to ensure a common interpretation and application of the statutes across the Military Departments. This guidance was intended to assist in avoiding significant shifts in the location of ongoing depot activities or in the overall organic depot/industry balance.
Relative to the nuclear refueling of aircraft carriers, the Implementation Guidance delegated waiver authority under title 10 U.S.C. § 2464 to the Secretary of the Navy and suggested that the Navy may wish to consider pursuing a Secretary of Defense waiver of the 50/50 requirement under title 10 U.S.C. § 2466(b).
Additionally, the Implementation Guidance provides a Department-wide interpretation of "modifications" that excludes hardware and software modifications which are not maintenance in nature.

54. Senator MCCAIN. Mr. Kendall, are you aware of the concerns regarding the two provisions expressed by the Services and by industry?
Mr. KENDALL. I believe I am aware of the concerns; the Department has been working closely with the Services and Industry since the enactment of the NDAA for Fiscal Year 2012 to address concerns associated with the revised legislation. Through this close coordination, the resulting Implementation Guidance is intended to ensure a common interpretation and application of the statutes across the Services and to address their concerns.

55. Senator MCCAIN. Mr. Kendall, what is your opinion on the validity of these concerns?
Mr. KENDALL. I share the concerns of industry and the Military Departments with regard to the legislation. The NDAA for Fiscal Year 2012 Implementation Guidance is intended to address these concerns. Through the conduct of depot activities consistent with the Implementation Guidance and the execution of waivers available under the various depot statutes there should be no significant shifts in the location of ongoing depot activities or in the overall organic depot/industry balance.

QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

50/50 CORE

56. Senator CHAMBLISS. Mr. Kendall, the well-known 50/50 statute is codified in title 10, U.S.C., section 2466, and states that: "Not more than 50 percent of the funds made available in a fiscal year to a Military Department or a defense agency for depot-level maintenance and repair workload may be used to contract for the performance by non-Federal Government personnel of such workload for the Military Department or the defense agency."

The rationale for this statute as well as the companion core statute codified in title 10, U.S.C., section 2464, in my opinion, is two-fold. First, the United States needs to have the organic capability and capacity to carry out critical depot maintenance activity in order to respond effectively to a mobilization, national defense contingency, or other emergency requirement. Second, if the Government does not have the organic capacity—both at the logistics management and depot maintenance levels—the Government will not be able to be a smart buyer when they partner with industry, and the Government will end up paying the private sector more for depot maintenance and logistics support because the Government will not be able to offer a competitive price. We have seen this several times in relation to depot maintenance—where a contractor offers a significantly lower price because the Government threatens to bring the work back in-house. If the Government cannot bring the work back in-house, we are very likely going to end up paying the private sector more for that workload than we should.

What are your views of the Core and 50/50 statutes, and if confirmed, will you be committed to retaining a robust organic capability and capacity for depot maintenance and logistics within DOD and the Military Services?

Mr. KENDALL. I believe that it is essential that the Department maintain an organic depot capability for both national security and economic reasons. I am extremely cognizant of the indispensible roles the organic maintenance facilities and their dedicated workforce play in supporting the demanding operational requirements of the Military Services.

F–35 OPERATIONS AND SUPPORT COSTS

57. Senator CHAMBLISS. Mr. Kendall, it seems that while the focus of conversation has been on the $1 trillion operations and support (O&S) cost estimate for all three variants of the F–35 over the next 55 years, there has been limited discussion on the cost of maintaining the legacy fleet if we do not move forward with the F–35. We have heard that an apples-to-apples cost comparison to operate the legacy aircraft could be $3 to $4 trillion over that same period of time. How would this estimate account for the fact that legacy aircraft will never be as capable or survivable in a 21st century threat environment?

Mr. KENDALL. I do not believe that the estimate takes that fact into account and it would be meaningless to attempt to compare extending the life of the current fleet 55 years to the cost of sustaining the F–35 over the same period as this is not a realistic option. Service life constraints will result in most of the legacy aircraft having to retire well before the timeframe in question elapses. While service life extensions are planned for some legacy aircraft, it is simply not practical that their service life be extended all the way out to the 2065 timeframe. Even if it could be, the aircraft would not be survivable or capable enough to cope with the threats that can be anticipated by the end of this period. The concern with regard to F–35 sustainment costs has more to do with the affordability of an F–35 fleet. As a much more capable and complex aircraft, the F–35 will be more expensive to operate than some of the aircraft it will replace. For this reason the Department is working aggressively to control F–35 support costs and I have placed a cost cap on F–35 sustainment that is intended to provide an incentive for sustainment cost reductions.

58. Senator CHAMBLISS. Mr. Kendall, what investments have been made in the development and design of the F–35 to reduce O&S costs over the life of the program?

Mr. KENDALL. The F–35 Joint Program Office (JPO) is currently implementing an affordability strategy and the Department is developing an Affordability Management Plan focused on: reducing the costs of support products such as support equipment, spare parts and training devices; base-lining requirements with the Services and leveraging increased efficiency opportunities provided by F–35; and addressing reliability and maintainability. The JPO is creating contract and pricing opportuni-

ties to reduce the cost of the JSF support products by leveraging economic order quantity buys for spare parts in conjunction with production buys, and implementing pricing improvement curves that leverage learning opportunities. By creating a common sustainment baseline harnessing the F–35 support system design, the JPO is analyzing the optimum level of infrastructure and products required to support operations of the global fleet. By optimizing the amount of equipment procured early, the Department can affect the through life O&S Costs. In parallel, the program office is actively managing the reliability and maintainability of systems/sub-systems and components; the implementation of appropriate modifications will enable the Department to control cost.

In 2011, the JPO implemented a number of technical changes and affordability initiatives which resulted in an over $30 billion reduction, in base year 2002 dollars, in the 2011 O&S estimate which helped to offset externally-driven increases in areas such as military and contractor labor rates. Additionally, the JPO conducted sustainment baseline deep dives into support equipment, spares, and manpower, as well as the initial phase of a business case analysis on supply chain management, field operations, sustaining engineering, and fleet management.

The 2012 efforts include a manpower review into the appropriate labor mix and contractor rates, a review of competitive options for the long-term provision of support equipment and spares, enterprise software licensing, engine life improvements, reprogramming laboratory requirements, and additional Service planning factors such as aircraft utilization rates, contingency planning, and squadron manning requirements.

59. Senator CHAMBLISS. Mr. Kendall, how will you account for these investments in future O&S cost estimates in the Selected Acquisition Reports?

Mr. KENDALL. The F–35 JPO works closely with the Office of the Director, CAPE. Following completion of the CAPE's Independent Cost Estimate (ICE), I directed that the CAPE's O&S estimate be used for planning purposes in the new Acquisition Program Baseline (APB) and the December 2011 Selected Acquisition Report (SAR). As JPO cost estimates are updated to reflect the investment made to reduce costs, that information is provided to the CAPE and their estimate will be updated as well. The annual SAR will continue to reflect the CAPE O&S estimate, with updates as required.

60. Senator CHAMBLISS. Mr. Kendall, it seems to me that DOD has placed F–35 in a unique disadvantage when it comes to an O&S cost estimate for the program. I am not aware of any other DOD program that estimates its life cycle costs over a 55-year timeline. Doesn't this vastly overstate its cost when compared to other major programs?

Mr. KENDALL. The F–35 is in a unique position in terms of the length of time that the Department plans to operate this weapon system. The combination of a planned procurement of over 2,400 aircraft over a 25-year production run and a 30-year service life results in a life cycle that extends out to 2065. The Department does estimate life cycle costs for all weapons systems based on the planned life cycle of the individual program. In terms of the F–35 O&S estimate, the inflationary effects on the Then Year (TY) estimate on a 55-year timeline have a major impact on the total O&S figure. I believe it is more relevant to focus on the elements that constitute the cost per flight hour, and result in the annual cost estimates as the appropriate metrics for O&S affordability. As a result, I have focused the F–35 Program on a sustainment affordability target that uses cost per flight hour.

61. Senator CHAMBLISS. Mr. Kendall, do you have an estimate of what the cost of 10 carriers or a fleet of submarines would cost if estimated over 55 years?

Mr. KENDALL. Not precisely. Neither carriers nor submarines are designed for a 55 year service life. However, the December 2011 SAR for the CVN–78 program and SSN 774 program include Operations and Support (O&S) estimates over the life cycle of those programs and therefore provide an indication of the requested O&S costs. For the CVN–78 *Gerald R. Ford* class of aircraft carriers, the estimate is derived by taking the annual costs to operate a planned 11 ship fleet over the projected 50 year service life. For CVN–78 the total O&S costs in TY$ are $231.3 billion. For the SSN 774 *Virginia*-class submarine, the estimate is derived by taking the annual costs to operate a representative fleet of 30 submarines over a service life of 33 years per hull. For the SSN 774, the total O&S costs in TY$ are $95.6 billion.

62. Senator CHAMBLISS. Mr. Kendall, I believe that we in Congress need quality data and a solid methodology to serve as the basis for making informed decisions

on our major defense programs. I question the quality of the estimate that we are currently using for the F–35 program; this overstated 55-year estimate unnecessarily scares our allied partners and in actuality misinforms decisionmakers both in DOD and in Congress. We need to do a better job at refining these estimates as this program moves forward. I have been told that if you used this new 55-year methodology and applied it to the legacy fighter fleet, it would cost us $3 to $4 trillion just to keep flying what we have today another 50 years—so in effect, we save money by modernizing with F–35s which will be both more capable and survivable. Don't you agree the cost of the alternative needs to be discussed as well?

Mr. KENDALL. In general I believe that the costs of alternatives should be discussed; however extending the legacy fighter fleet to an additional 55 years is not a viable alternative to the F–35. The discussion of alternatives does take place as part of the annual budget review process. Additionally, F–35 affordability was discussed during the recent review of the program prior to my decision to award a new Milestone B and Acquisition Program Baseline.

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## QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

### ARMY ARMED AERIAL SCOUT REQUIREMENTS

63. Senator WICKER. Mr. Kendall, Congress funded an analysis of alternatives (AOA) to establish an armed scout replacement program as far back as 2009. The fiscal year 2012 budget included $15 million to conduct an additional Request for Information (RFI) and Voluntary Flight Demonstration (VFD) this year. Little guidance is being shared about the Army Armed Aerial Scout (AAS) requirements and how the request for information and demonstrations will be conducted. What are the Initial Capabilities Document (ICD) requirements for the AAS program and have you communicated those requirements to industry?

Mr. KENDALL. The July 2009 ICD does not prescribe specific threshold and objective requirements for a material solution to achieve but rather describes the capability gaps that exist in the mission area. Based on open source documentation, industry appears to have further developed technology, initially described 2 years ago in their RFI responses, that represents a considerable increase in capability gap mitigation. However, the Army currently has limited insight into these potential improvements. The current approved ICD is under the purview of the requirements community (Army Training and Doctrine Command) and to my knowledge, has not been released to industry. Although the ICD may have not been released to industry, the draft RFI does describe the capability shortfalls that currently exist in terms of responsiveness, performance margins, and lethality. Additionally, the RFI contains a detailed description of the AAS mission sets and outlines the specific demonstration maneuvers and tasks requested.

64. Senator WICKER. Mr. Kendall, were they the same requirements used in the original AOA?

Mr. KENDALL. The July 2009 ICD does not prescribe specific threshold and objective requirements for a material solution to achieve but rather describes the capability gaps that exist in the mission area. However, the AOA was focused on the same capability gaps addressed in the current ICD.

65. Senator WICKER. Mr. Kendall, will the ICD requirements be used as the baseline for the planned AAS RFI and VFD and your materiel solution?

Mr. KENDALL. The AAS RFI and VFD seek to address the same capability gaps in the current ICD.

### FLIGHT DEMONSTRATION

66. Senator WICKER. Mr. Kendall, upgrades requested to keep to the OH–58D Kiowa Warrior helicopter operating safely have become more complex and costly. It is important that a final determination is made for addressing the Army's validated AAS requirement to assure valuable time and resources are invested on a platform that will best meet the Army's requirements. Congress anticipates that the upcoming RFI and VFD will be conducted with the utmost rigor, objectivity, and fairness in order to reach a credible and conclusive AAS acquisition strategy. For the VFDs, how will you ensure the process is fair and transparent?

Mr. KENDALL. The Army intends to ensure that its market research is conducted fairly by following the prescribed guidance in the Federal Acquisition Regulation (FAR). The requested maneuvers will be executed in accordance with standard test

techniques and normalized to standard atmospheric conditions. The Army will debrief industry members at the conclusion of their VFD and industry participants will have the opportunity to update their RFI response. The VFD is not a source selection activity; it is intended to gather information that the Army can use to determine if an affordable and cost effective product may be available with existing technology.

67. Senator WICKER. Mr. Kendall, how do you plan to establish standardized flight conditions?

Mr. KENDALL. The Army will use Experimental Test Pilots that are graduates of the Naval Test Pilot School. The pilots will execute maneuvers that are voluntarily agreeable with the industry participant as outlined in the request for information. These maneuvers will be conducted in accordance with standard test techniques and normalized to standard atmospheric conditions.

68. Senator WICKER. Mr. Kendall, what method or trade basis will be used to drive your materiel solution decision in regard to weapons systems cost, schedule, and performance considerations?

Mr. KENDALL. The Army will assess the results of the RFI and VFD against the known weighted capability gaps defined in the ICD and validated by the Armed Aerial Scout (AAS) AOA. The methodology for determining cost, schedule, and performance trades will be similar to the methodology used in the AAS AOA.

KIOWA WARRIOR SERVICE LIFE EXTENSION PROGRAM

69. Senator WICKER. Mr. Kendall, the Army states that the Kiowa Warrior Service Life Extension Program (SLEP) is the basis for comparison in the AAS evaluation. I am not aware that a SLEP has been established or approved and there is no SLEP in the fiscal year 2013 budget request. Have you conducted, or do you intend to conduct, the required Service Life Assessment Program (SLAP) to validate your Kiowa Warrior SLEP assumptions?

Mr. KENDALL. Kiowa Warrior SLEP is referenced as RECAP in the budget exhibits. The Kiowa Warrior (KW) fiscal year 2013 budget request contains funding to execute the SLEP/RECAP requirement if the Army decides against a new material solution for AAS. This funding will support either course of action without impacting the approved Kiowa Warrior Cockpit and Sensor Upgrade Program (CASUP)/OH–58F.

The purpose of the Kiowa Warrior SLAP is to investigate and analyze various approaches to enhance airframe Reliability and Maintainability (RAM) as well as identify safety improvements that could be applied to the fuselage structures. The SLAP program is ongoing and will identify the specific structures requiring improvement; these changes would be implemented via a SLEP/RECAP effort.

70. Senator WICKER. Mr. Kendall, what are the cost, technical, and schedule risk findings of the SLEP?

Mr. KENDALL. The Army view is that the cost, technical, and schedule risks of a SLEP/RECAP program are low. The Army has extensive reliability and cost data on the 40+ year old OH–58 airframes, a trained and capable workforce performing depot-level maintenance via the Crash Battle Damage & Overhaul programs, and new cabin production lines in the Wartime Replacement Aircraft (WRA) program. Together these programs lower the risk involved in executing a SLEP/RECAP initiative.

Any SLEP/RECAP program would include replacing the aircraft structures, which could occur on an already established production line such as WRA. The CASUP/OH–58F begins production in 2015 providing a good entry point for new metal production that aligns with the approved CASUP production schedule.

71. Senator WICKER. Mr. Kendall, based on the findings of the SLAP, is the Kiowa Warrior program in the fiscal year 2013 President's budget considered to be low risk for execution? If so, by what measures?

Mr. KENDALL. The initial findings of the SLAP study will be available in late summer 2012. Kiowa Warrior has no dependencies on SLAP data to execute fiscal year 2013 program requirements. No additional risk impacting either fiscal year 2013 budget or program execution is anticipated as a result of the SLAP outcomes. The Army view is that the Kiowa Warrior program is at low risk for execution in fiscal year 2013. The Critical Design Review was successfully completed ahead of schedule

in April 2012. The first two EMD prototype aircraft are being modified and the critical component programs are currently executing well.

MATERIEL SOLUTION DETERMINATION

72. Senator WICKER. Mr. Kendall, if performance is validated during the flight demonstration, will the Army use the validated performance data for the comparative analysis, or will the Army make unilateral adjustments and assumptions?

Mr. KENDALL. The Army is conducting market research to determine what technology is available from industry that may be able to contribute to a material solution option that delivers greater capability than the current OH–58. The Army does not intend to compare individual results but rather assess demonstrated capability against the weighted capability gaps from the AAS AOA.

73. Senator WICKER. Mr. Kendall, if performance capability is not validated by a flight demonstration, how will the claims be treated during the evaluation?

Mr. KENDALL. The Army realizes that industry RFI performance projections could exceed what is physically demonstrated. In those instances or in instances where industry elects not to participate in the voluntary flight demonstration, the Army will assess the risk of an industry member and evaluate the RFI performance projection based on their documented technical progress including company test results, readiness levels and technology roadmaps.

74. Senator WICKER. Mr. Kendall, if performance is validated during the flight demonstration, how will the claims be treated in conducting the cost/benefit analysis (CBA) to make your materiel solution decision?

Mr. KENDALL. Validated performance data mitigates the risk of an industry member's ability to achieve their RFI performance projection. The Army will conduct a risk assessment on all responses, validated or claimed. The end state is to identify an affordable, achievable, moderate risk material solution option based on the current state of technology in the market.

75. Senator WICKER. Mr. Kendall, what is your methodology to conduct your comparison?

Mr. KENDALL. The Army will not compare individual industry responses against each other. Based on open source documentation, industry appears to have further developed technology, initially described 2 years ago in their RFI responses, that represents a considerable increase in capability gap mitigation. However, the Army currently has no confirmation of these potential improvements. Individual responses to the RFI and the demonstrated capabilities will be analyzed to assess the performance, cost and schedule attributes needed to procure an improved capability. The Army methodology used to determine the capability tradeoffs is consistent with the methodology used during the AAS AOA and validated by the AAS AOA Senior Advisory Group. The RFI and flight demonstration are not source selection activities; they are intended to gather information so that the Army can determine what level of capability is attainable with available technology.

76. Senator WICKER. Mr. Kendall, how will the Army determine if the AAS materiel solution is deemed unaffordable and is terminated?

Mr. KENDALL. The Armed Aerial Scout program has not advanced beyond the material alternatives analysis phase. Ongoing analysis, subsequent to the formal Analysis of Alternatives, is further examining cost and performance estimates. The Army will make an affordability decision as part of the capabilities determination decision at the end of the market research effort.

F–16 UPGRADE

77. Senator WICKER. Mr. Kendall, is the F–16 upgrade being treated as one major program (ACAT 1C) or is the avionic upgrade and SLEP a separate ACAT program?

Mr. KENDALL. The fiscal year 2013 President's budget established F–16 Legacy SLEP and Combat Avionics Programmed Extension Suite (CAPES) as two distinct, separate programs. SLEP is focused on structurally extending the life of the airframe. CAPES' purpose is to enhance capability of the aircraft as a weapon system. The Legacy SLEP program, which began its full-scale durability testing effort in fiscal year 2011, is a pre-Milestone B program that will be classified as an ACAT III. CAPES, a pre-Milestone B effort initiated in fiscal year 2012, is likely to be classified as an ACAT II.

78. Senator WICKER. Mr. Kendall, will the avionic associate with the F–16 SLEP, will they be treated as government-furnished equipment (GFE), or will the prime handle the upgrade?

Mr. KENDALL. The Air Force Acquisition Strategy Panel will meet mid-May 2012 to recommend the formal acquisition strategy to the Program Executive Officer, which will include a determination on the prime integrator strategy. The avionics associated with the F–16 SLEP is referred to as CAPES. CAPES is an umbrella name for four independent hardware acquisition programs bundled together for Block 42/50/52 aircraft. The four programs are Active Electronically Scanned Array (AESA) fire control radar, Center Display Unit (CDU), ALQ–213 Electronic Warfare (EW) system, and Integrated Broadcast Service (IBS) receiver. Out of these four programs, three programs—CDU, ALQ–213, and IBS—are expected to be procured as GFE via existing DOD contracts with other Air Force organizations.

79. Senator WICKER. Mr. Kendall, I understand that the Air Force is determining the life cycle costs for the F–16 upgrade; what is the CAPE for the overall F–16 upgrade?

Mr. KENDALL. The F–16 upgrade program is comprised of two distinct, separate programs: Legacy SLEP and CAPES. Given that SLEP is ACAT III and CAPES is ACAT II, CAPE cost estimates are not required for these programs.

The fiscal year 2013 President's budget reflects the latest estimate for the programs. However, to support the Milestone B decisions in calendar year 2013 for each program, the F–16 Program Office will update their estimates for both CAPES and Legacy SLEP. Additionally, the Air Force Cost Analysis Agency will develop a Non-Advocate Cost Assessment (NACA) estimate for both programs.

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## QUESTIONS SUBMITTED BY SENATOR SCOTT P. BROWN

### ACQUISITION AND DEPLOYMENT OF DEFENSE SYSTEMS

80. Senator BROWN. Mr. Kendall, does the acquisition and deployment of area defense systems remain important to U.S. defense strategy, especially in regions where our potential adversaries possess significant armored or maritime forces?

Mr. KENDALL. Area defense systems do remain important to the U.S. defense strategy. The Department is always reviewing current systems against emerging technologies and threats to determine what improvements can or should be made to existing systems and where the Department needs to look at new acquisitions, including in regions where potential adversaries possess significant armored or maritime forces.

### SENSOR-FUZED WEAPON

81. Senator BROWN. Mr. Kendall, if international advocacy groups are successful in breaking the supply chain for the Sensor-Fuzed Weapon, what are the materiel, cost, and humanitarian implications for U.S. contingency planning and warfighting strategy in the Korean Peninsula and Persian Gulf regions?

Mr. KENDALL. I am aware of the movement to impact the supply chain of the Sensor-Fuzed Weapon and other weapons that are considered cluster munitions under some definitions, however to my knowledge the Department has not conducted an analysis of the impact this would have in Korean Peninsula or Persian Gulf scenarios. The Department assesses a range of future scenarios in order to evaluate the ability of programmed forces to accomplish key missions. These assessments include evaluations of programmed stocks of munitions. The Department's current view is that the inventory of Sensor-Fuzed Weapons is sufficient to meet requirements. Although the Department is not currently procuring Sensor-Fuzed Weapon, the production line remains open in fulfillment of Foreign Military Sales (FMS). If the supply chain were disrupted, the Department would not be able to restock its current inventory, and if the inventory were exhausted, the Department might be forced to use less effective unitary weapons which could result in more collateral damage than the use of Sensor-Fuzed Weapons.

82. Senator BROWN. Mr. Kendall, what would the implications be for U.S. allies that have current, pending, and prospective FMS agreements with our Government?

Mr. KENDALL. The Department has not identified any potential alternatives for U.S. allies should the United States be unable to produce the Sensor Fuzed Weapon.

83. Senator BROWN. Mr. Kendall, is DOD equipped to counter such campaigns, whether it is the current one against the Sensor-Fuzed Weapon or a looming one against armed drones? If so, how is DOD doing this?

Mr. KENDALL. The Department is aware of campaigns which have the potential to curtail the availability of needed warfighting capabilities. Protecting the U.S. Government's national security interest in retaining access to genuinely needed capabilities requires DOD to collaborate effectively with other executive branch agencies and Congress and to keep the public and media informed of the arguments against well meant constraints that might in fact have negative and even unintended consequences that are counter to the goals of the people mounting the campaign. The Department must ensure that it thoroughly understands potential risks and communicates those risks to interagency partners, industry, and to the media and public.

84. Senator BROWN. Mr. Kendall, many of DOD's current inventories of weapons do not meet the DOD policy of less than 1 percent unexploded ordnance. Since the policy states that non-compliant weapons will not be employed after 2018, please explain DOD's plans and programs (to include budget lines and funding profiles) to replace or upgrade these weapons.

Mr. KENDALL. It is my understanding that the Department has one current program of record to upgrade a system to comply with the DOD Cluster Munition policy. The Guided Multiple Launch Rocket System (GMLRS) Alternative Warhead (AW) is a precision-guided, area suppression weapon system that will replace existing inventories of dual-purpose, improved conventional munition (DPICM) rockets with a DOD Cluster Munition policy-compliant system. The GMLRS AW will achieve an initial operational capability in early 2017. The GMLRS AW is fully funded with $159.6 million programmed for development and AW will be integrated into the GMLRS rocket production line in 2016 with a remaining $1.35 billion programmed for procurement through 2022 in order to achieve a GMLRS Army Procurement Objective (APO) of 43,560 rockets.

The Department is examining other potential efforts including policy-compliant replacements for 155mm DPICM projectiles and Army Tactical Missile System (ATACMS) Anti-Personnel/Anti-Material (APAM) missiles; and an upgrade to the Joint Standoff Weapon (JSOW) program JSOW–A variant to replace non-compliant sub-munitions with an alternate warhead.

85. Senator BROWN. Mr. Kendall, can you reaffirm the U.S. position that the BLU–108 is the submunition of the Sensor-Fuzed Weapon, because it is a conventional munition released by a cluster munition and functions by detonating an explosive charge before impact?

Mr. KENDALL. The Department has assigned a Bomb Live Unit (BLU) designation to the Sensor Fuzed Weapon submunition, which is the BLU–108. The BLU designation identifies a component of a U.S. cluster munition as a submunition. The Department has not assigned a BLU, or similar, designation to any other component of the Sensor Fuzed Weapon. Therefore the U.S. position is that the BLU–108 is the Sensor Fuzed Weapon submunition.

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## QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

### CONTRACTING WITH ROSOBORONEXPORT

86. Senator AYOTTE. Mr. Kendall, are you aware of Rosoboronexport's activities in Syria and how that company, which is affiliated with the Russian Government, has continued to arm the Assad regime and enable that regime's murder of its own citizens?

Mr. KENDALL. It is my understanding that Rosoboronexport is a state run corporation of the Russian Government and that Russian Government policy has been to support the Assad regime. It is also my understanding that Russia remains a top supplier of weapons to Syria. For example, recent press articles report that several cargo ships used by Rosoboronexport have delivered cargo to Syria. Other press reporting indicates that Rosoboronexport signed a deal with the Syrian Government in January to sell 36 military aircraft.

87. Senator AYOTTE. Mr. Kendall, what business is DOD conducting with Rosoboronexport?

Mr. KENDALL. Rosoboronexport is a Russian Federation state-owned enterprise which, under Russian law, has authority over export of Mi-17 aircraft that are pur-

chased for military use. DOD has procured Mi-17 aircraft for the Afghan National Security Forces (ANSF) including spare parts for maintenance, and engineering support services from Rosoboronexport. This procurement includes technical documentation which is available only through Rosoboronexport. This procurement supports the U.S. strategy to build the Afghan Air Force and thus facilitate a transition to ANSF taking full responsibility for the security of Afghanistan by the end of 2014.

88. Senator AYOTTE. Mr. Kendall, is it correct that DOD is purchasing helicopters from Rosoboronexport for use in Afghanistan?

Mr. KENDALL. Yes, the United States directly purchases Mi-17s through Rosoboronexport. Under Russian law, Rosoboronexport is the Russian Federation, state-owned, sole entity controlling export of military use Mi-17 helicopters. The Army entered into a contract for 21 Mi-17 helicopters in May 2011. Fifteen of the 21 have been delivered to Afghanistan compliant to all contract terms; the remainder will be delivered in late June. The contract includes purchase of spare parts and engineering support service and an option line for 12 attrition replacement aircraft, if needed.

89. Senator AYOTTE. Mr. Kendall, do you believe it is appropriate to be paying taxpayers' dollars to a Russian company that is arming Assad and enabling his murder of over 8,000 civilians?

Mr. KENDALL. While I have not been involved in the administration's deliberations over policy towards Syria, it is my understanding that the U.S. Government has repeatedly made it clear to senior Russian leaders that it does not support Russian arms shipments to the Assad regime while the regime engages in violence against the Syrian people. I believe that the contractual arrangement with the Russian company Rosoboronexport to procure and support ANSF helicopters reflects the Department's commitment to balance between the two national security priorities of equipping the ANSF with the necessary equipment to transition security responsibilities, and finding ways to isolate the Assad regime in Damascus.

JOINT STRIKE FIGHTER

90. Senator AYOTTE. Mr. Kendall, in your answers to the advance policy questions, you state that DOD remains committed to the JSF program, and you describe the JSF as a "critical capability". Why do you believe the JSF is a critical capability?

Mr. KENDALL. Dominance in the air is an essential element of U.S. military power. Control of the air is a warfighting capability in which the United States cannot accept parity. The fifth generation capabilities that the F–35 will provide are essential to accomplishing many of the primary missions identified in the National Security Strategy. The F–35 will provide the United States with a dominant capability in this domain for decades to come.

91. Senator AYOTTE. Mr. Kendall, do you agree with the Air Force Chief of Staff that the Russians and Chinese are working on their own fifth generation fighter capabilities?

Mr. KENDALL. Yes.

92. Senator AYOTTE. Mr. Kendall, for our country, is there a fifth generation alternative to the JSF?

Mr. KENDALL. No. There is no fifth generation alternative to the JSF that provides all three Services the stealth technology, advanced sensing, and networked engagement capabilities from flexible basing options that the three variants of the F–35 will provide.

93. Senator AYOTTE. Mr. Kendall, understanding that procurement levels will impact unit cost, what steps are you taking to keep international partners committed to the program?

Mr. KENDALL. The Department maintains regular contact with the international partner countries at various levels of their respective Ministries of Defense. I am routinely in contact with my counterparts concerning the F–35 program. The F–35 Program is structured with governance boards at various levels that facilitate open dialogue and information sharing. The Joint Executive Steering Board (JESB) is a forum at the Service Acquisition Executive (SAE) level where International Partner procurement plans are reviewed and finalized on a semi-annual basis. At the JESB, International Partners are provided detailed and transparent insight into program

health and progress metrics. I also chair the F–35 Chief Executive Officer conference which includes discussion and dialogue with all partners at the National Armament Director level, as well as bi-lateral discussions with individual partners on an as needed basis. Earlier this year the Department provided the partners a thorough and objective assessment of the impacts and outcomes of the revised procurement profile in the fiscal year 2013 President's Budget. Additionally, the F–35 Program Office is staffed with military officers from each of the partner countries and as such is in daily communication concerning all aspects of the program ranging from requirements, to development schedule, to procurement plans. I believe that maintaining open lines of communications with the partners is critical to the success of the program and if confirmed I will make open communications with the partners a high priority.

94. Senator AYOTTE. Mr. Kendall, if the decision were made to cancel the JSF, what would be the cost of operating and maintaining the legacy aircraft fleet that the JSF is going to replace?

Mr. KENDALL. The JSF is scheduled to replace the AV–8B, F/A–18A–D, F–16, and A–10 for the U.S. Services. A portion of the F/A–18A–D and F–16 fleet is already planned for service life extensions to meet force structure requirements. If the JSF were canceled, the Services would have to assess the possibility of additional service life extensions, but there are practical limits to the degree to which that can even be considered. For many of those aircraft with excessive flight hours, extending service life would not be an option, and they would have to be retired. If JSF were to be canceled the Department would have to start other modernization programs to develop one or more fifth generation aircraft and the right comparison would be those programs and the completion of JSF. In my view, both the delay in obtaining JSF-like capabilities and the cost of new developments would be prohibitive. The cancelation of JSF is not under consideration.

95. Senator AYOTTE. Mr. Kendall, over the same period of time, how does this compare to the JSF operations and sustainment costs?

Mr. KENDALL. Maintaining the current high performance aircraft fleet until 2065 is not a viable option so it isn't meaningful to make the requested comparison. While service life extensions are planned for some legacy aircraft, it is simply not possible that their service life could be extended out to the 2065 timeframe the F–35 is planned to operate. Service life constraints will result in the bulk of those aircraft having to retire before that timeframe elapses.

96. Senator AYOTTE. Mr. Kendall, what investments have been made in the development and design of the F–35 to reduce operations and sustainment costs over the life of the program?

Mr. KENDALL. From the outset, the F–35 has been designed with supportability and affordability as major tenets of the Program; the result of which is an overall air system designed to offer greater availability and smaller logistics footprint. Within the air vehicle, systems including sustainable low-observable coatings as well as a prognostic health management system are both examples which will offer increased maintainability and availability. Within the sustainment system, the commonality of spares between variants and the training system were designed to offer significant through-life costs savings. Also, as the design continues through the System Design and Development phase opportunities for reducing through-life costs continue to be investigated. Of 122 current affordability initiatives being pursued through production, there are approximately 38 that will have improved life cycle cost impacts.

The F–35 JPO is also currently implementing an affordability strategy for which it is developing an Affordability Management Plan focused on: reducing the costs of support products such as support equipment, spare parts and training devices; base-lining requirements with the Services and leveraging increased efficiency opportunities provided by F–35; and addressing reliability and maintainability. The JPO is creating contract and pricing opportunities to reduce the cost of the JSF support products by leveraging economic order quantity buys for spare parts in conjunction with production buys, and implementing pricing improvement curves that leverage learning opportunities. By creating a common sustainment baseline harnessing the F–35 support system design, the JPO is attempting to optimize the level of infrastructure and products required to support operations of the global fleet. By optimizing the amount of equipment procured early the Department will be able to affect the through life O&S Costs. In parallel, the program office is addressing the reliability and maintainability of systems/subsystems and components; where they

fall short of meeting their design specifications, the implementation of appropriate modifications will enable the Department to control cost growth.

Specifically, in 2011 the JPO implemented a number of technical changes and affordability initiatives which resulted in an over $30 billion reduction, in base year 2002 dollars, in the 2011 O&S estimate which helped to offset externally-driven increases in areas such as military and contractor labor rates. Additionally, the JPO conducted sustainment baseline deep dives into support equipment, spares, and manpower, as well as the initial phase of a business case analysis on supply chain management, field operations, sustaining engineering, and fleet management.

The 2012 efforts include a manpower review into the appropriate labor mix and contractor rates, a review of competitive options for the long-term provision of support equipment and spares, enterprise software licensing, engine life improvements, reprogramming laboratory requirements, and additional Service planning factors such as aircraft utilization rates, contingency planning, and squadron manning requirements.

COST-PLUS VERSUS FIXED-PRICE CONTRACTS

97. Senator AYOTTE. Mr. Kendall, I believe we should minimize using cost-plus contracts to procure major weapons systems. In most cases, by the time DOD is ready to produce major systems at a low rate, enough development risk should have been burned off that contractors should be ready to sign a fixed-price contract. Otherwise, cost-plus contracts should be used for only those pieces where significant risk is left over. This is the thrust of the amendment on cost-plus contracting I offered with Senator McCain last year in connection with the NDAA for Fiscal Year 2012. What is your view of this issue?

Mr. KENDALL. I generally agree, but I believe the Department needs the latitude to make exceptions when merited. The Department should minimize the use of cost-plus arrangements under production contracts for major weapon systems. Once a program has completed low rate initial production the Department's contracts for major weapon systems should be firm fixed priced.

I believe there are circumstances, however, where the Department cannot adequately reduce the risk in the low rate initial production phase and therefore a form of cost reimbursable contract may be appropriate for early production. This could be the case when accepting the risk of concurrency and early transition to production is the best course of action due to an urgent operational need. Another circumstance that might warrant use of a cost-type contract would be where the Department requires the contractor to deliver a production unit for operational evaluation as a risk reduction measure. For some products such as first in class ships and some satellites, the first production unit is also the first prototype unit and there is no opportunity for the design to be verified through the testing of developmental preproduction prototypes.

In general, however, I am inclined to use firm fixed-price contracts for low-rate initial production when the design is stable, performance has been demonstrated with production representative prototypes, production processes are mature, and the costs are reasonably predictable. I have been emphasizing the use of fixed price incentive contracts when there is marginally more risk associated with production processes and costs, but not risk that can efficiently be mitigated by delaying the start of production.

Optimally structuring acquisition programs is a complicated matter that requires sound professional judgment to balance all the competing demands, and unfortunately there is no single approach that is universally applicable. If confirmed, I would be happy to work with the committee on this subject.

98. Senator AYOTTE. Mr. Kendall, do you support the floor amendment Senator McCain and I offered last year, S.A. 1249?

Mr. KENDALL. I believe that decisions about the appropriate contract type to use on a given contract should be made on a case-by-case basis after a careful examination of the circumstances of the program, including the nature of the system being acquired and the risk inherent in the program. One of the key aspects of the Better Buying Power initiative has been increasing the use of fixed-price type contracts, where appropriate. The Department can and is doing more fixed-price contracting throughout the acquisition system, particularly in the early stages of production. However, I believe it is critical that the Department retain the discretion to select the contract type most appropriate for the work being performed. I am not personally in favor of any provision that would completely prohibit the Department's use of cost-type contracts for the production of all major defense acquisition programs

(MDAPs). I believe that the Department should have the latitude to use cost-type contracts during low rate initial production of an MDAP, or for some contracts for development of incremental improvements to an MDAP entered into after the MDAP has passed into the production phase of the program. If confirmed, I am committed to working with the committee on this issue.

MONEY FLOW TO ENEMIES

99. Senator AYOTTE. Mr. Kendall, last year, Senator Brown and I introduced legislation that was incorporated into section 841 of the NDAA. The intent of this legislation was to make it easier to stop the flow of money when it is discovered that U.S. contracting dollars are inadvertently being diverted to our enemies. Have these new authorities been helpful?

Mr. KENDALL. DOD implemented section 841 on January 26th in Class Deviation 2012–O0005—Prohibition on Contracting with the Enemy and Access to Contractor and Subcontractor Records in the U.S. Central Command (CENTCOM) Theater of Operations. This provides contracting officers the tool to take immediate action upon the enemy identification by the CENTCOM commander. The CENTCOM is currently finalizing the enemy identification process. I am confident that this authority will help the Department significantly; however the Department has not yet exercised this authority enough to determine how positive the impact will be.

100. Senator AYOTTE. Mr. Kendall, how many companies or individuals have been suspended or debarred since using these new authorities?

Mr. KENDALL. Suspension and debarment are not remedies directly provided in the legislation. Rather, section 841 authorizes the head of the contracting activity to restrict the award of contracts, grants, or cooperative agreements; to terminate for default; or to void a contract, grant or cooperative agreement. The authorities provided are still in the process of full implementation and they are expected to be valuable tools to stop the flow of money to our enemies.

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QUESTIONS SUBMITTED BY SENATOR LINDSEY GRAHAM

CYBER AND INTELLIGENCE ACQUISITION

101. Senator GRAHAM. Mr. Kendall, recognizing the budget challenges faced by DOD, how do you plan to further leverage base realignment and closure (BRAC) investments in the Services' joint command, control, communications, computers, and intelligence (C4I) organizations such as Space and Naval Warfare (SPAWAR) Systems Center Atlantic?

Mr. KENDALL. BRAC enables the Department to reconfigure its infrastructure to match the demands of leaner, more flexible forces and to accommodate the changing strategic emphasis. It is an important tool for the Department to use to make the tough fiscal choices necessitated by current budget challenges.

If Congress does authorize the requested BRAC rounds, the Department will undertake the BRAC rounds in accordance with the statutory directive to consider all installations equally and make decisions based on 20-year force structure plan and statutory selection criteria which give primary consideration to military value. At this point there are no specific closures or consolidations planned.

102. Senator GRAHAM. Mr. Kendall, how would you approach the acquisition process for rapidly changing technologies, such as cyber and command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR), versus those that remain relatively constant and mature over long periods of time such as airplanes, ships, and automotive land vehicles?

Mr. KENDALL. There are unique characteristics associated with the efficient and effective acquisition of Cyber and C4ISR capabilities. In order to maximize the operational benefit of the rapidly changing technologies associated with these types of programs, the Department must use tailored approaches. To keep pace with technology, C4ISR programs generally use an iterative, incremental approach that can deploy capability quickly. This approach must be based on well defined increments of capability that are developed, tested, and often fielded in increments structured around 1 to 2 year software builds. The Department intends to incorporate this approach as one of the acquisition approaches covered by the new DOD Instruction 5000.02 which is currently in development.

Regarding cyber technologies, on March 22, the Department also submitted a Report to Congress pursuant to section 933 of 2011 NDAA which articulated a new

strategy for acquiring cyberspace warfare capabilities. Agility and rapidity must characterize cyber acquisitions. The new cyber framework allows for alternative acquisition processes, identified as "rapid" and "deliberate". These processes will be tailored to the complexity, cost, urgency of need and fielding timelines associated with the cyber warfare capability being acquired. As cost increases and operational immediacy and the tolerance for risk decreases, more disciplined acquisition strategies will be employed.

COMMON DATA LINK PROCUREMENT

103. Senator GRAHAM. Mr. Kendall, for several years, congressional defense committees have expressed concern that proprietary terminal control interfaces are inhibiting competition in CDL procurement, with potential missed cost savings opportunities and foregone capabilities. DOD has been urged to preserve options for competitive sourcing of CDL systems and to advise program offices responsible for CDL procurement of the need for competition. What is the status of DOD's efforts to enhance competition in CDL acquisition?

Mr. KENDALL. This problem was first brought to my attention by industry which I believe has a valid concern. My understanding is that the Department was not effective in implementing open CDL systems free from proprietary constraints. At my direction, the Department is evaluating CDL system acquisition practices with a focus on several areas to improve competition. The first area is to have processes to make certain that no vendor proprietary or undocumented interfaces are being cited as requirements or included as evaluation criteria in the Department's CDL system solicitations. The second area is to ensure that as DOD advances its CDL standards, the Department maintains a broad industry base from which it seeks innovations. Finally when CDL systems are procured as a subsystem within a platform, DOD wants confidence that when the prime vendor investigates suitable sources for CDL compliant systems these vendors are thoroughly considering all suppliers. Industry inputs and suggestions for improvement are being sought as part of this evaluation.

104. Senator GRAHAM. Mr. Kendall, since the beginning of fiscal year 2012, have any CDL contracts been awarded which were not proceeded by a full and open competition, and if so, why?

Mr. KENDALL. My understanding is that no contracts have been awarded since the beginning of fiscal year 2012 to acquire CDL systems, either sole-source or competitively.

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QUESTIONS SUBMITTED BY SENATOR JOHN CORNYN

SYRIA AND CONTRACTING WITH ROSOBORONEXPORT

105. Senator CORNYN. Mr. Kendall, do you agree that the Assad regime has committed acts of mass murder against its own people during the Syrian uprisings that began in March 2011?

Mr. KENDALL. I am deeply concerned about the situation in Syria and about the human rights abuses that are occurring there. The situation is tragic for the people of Syria and for the region. I am not in a position at this time to pass judgment on whether the acts of the Assad regime constitute mass murder. However, I agree that the Assad regime's actions should be strongly condemned, and that serious violations of international law very likely have occurred.

106. Senator CORNYN. Mr. Kendall, do you believe these actions also constitute crimes against humanity?

Mr. KENDALL. I believe that the actions of the Assad regime are outrageous. There is no question that violence towards the people of Syria has been brutal and devastating. It is my view that the Assad regime has lost its legitimacy and that Assad should go. I have to defer, however, to the Department of State on specific judgments as to whether these actions constitute crimes against humanity.

107. Senator CORNYN. Mr. Kendall, are you aware of Rosoboronexport's history of arms sales to Syria?

Mr. KENDALL. I am not familiar with all of the transactions between Rosoboronexport and Syria, but I am aware that Russia is the top supplier of weapons to Syria and that Rosoboronexport is the state run export corporation for the Russian Government.

108. Senator CORNYN. Mr. Kendall, are you aware that the U.S. Government has sanctioned Rosoboronexport in the past for providing illicit support to Iran's military?

Mr. KENDALL. Yes, I am aware of the State Department sanctions against Rosoboronexport that were in place until late spring 2010. The Department's efforts to acquire and support Afghan Mi-series aircraft were shaped to abide by the sanctions.

109. Senator CORNYN. Mr. Kendall, are you aware that this firm has continued to supply weapons to Syria during the crackdown?

Mr. KENDALL. It is my understanding that the Russian Government has continued to supply Syria with weapons and supplies throughout the current uprising, and that Rosoboronexport, the state-run Russian export corporation, has facilitated these transactions.

110. Senator CORNYN. Mr. Kendall, what types and quantities of weapons has Rosoboronexport delivered to Syria, directly or indirectly, since the Syrian uprisings began in March 2011?

Mr. KENDALL. I am not familiar with all of the transactions between Rosoboronexport and Syria, but I am aware of press reporting on recent Russian arms deliveries to Syria. Russia has a series of ongoing contracts to provide Syria with advanced conventional weapons.

111. Senator CORNYN. Mr. Kendall, do you have concerns about DOD's ongoing business dealings with Rosoboronexport? If so, what are those concerns?

Mr. KENDALL. In my role as Acting Under Secretary, I have been working to ensure that the purchases of Russian-origin equipment are carried out consistent with U.S. laws and with sound acquisition practices. Rosoboronexport has an obligation to deliver the remaining Mi-17 helicopters ordered for the ANSF on schedule, within the budget, and in the mission-ready configuration as specified in the contract. I am also concerned about Russia's provision of arms to the Assad regime at a time when they are perpetrating brutal violence against their own people.

112. Senator CORNYN. Mr. Kendall, which other Russian entities have transferred weapons to Syria since the Syrian uprisings began in March 2011?

Mr. KENDALL. It is my understanding that Rosoboronexport, as Russia's state-authorized exporter of military use equipment and technology, is responsible for weapon contracts with Syria. I cannot rule out the possibility that other Russian-connected entities have also been involved.

113. Senator CORNYN. Mr. Kendall, what types and quantities of weapons have these entities delivered during that time?

Mr. KENDALL. I am not familiar with all of the transactions between Rosoboronexport and Syria, or of what transactions with other Russian entities may have occurred. I am aware of reporting in the press of Russian transfers of air defense weapons as well as small arms to the Syrian regime.

114. Senator CORNYN. Mr. Kendall, President Obama stated on February 3, 2011, that: "Assad must halt his campaign of killing and crimes against his own people now. . . . The suffering citizens of Syria must know: we are with you, and the Assad regime must come to an end." Do you agree with President Obama's statement?

Mr. KENDALL. Yes.

115. Senator CORNYN. Mr. Kendall, do you agree that Russian arms transfers to the Assad regime have been a key enabler of that regime maintaining power in Syria?

Mr. KENDALL. I believe that support for the Assad regime from Russia and other nations has been significant in its ability to maintain power. Any transfer of weapons to the regime from sources outside of Syria could help the regime maintain power.

116. Senator CORNYN. Mr. Kendall, do you agree that the United States has an obligation to use all of its leverage to pressure Russia and Russian entities to end their support of the Assad regime?

Mr. KENDALL. I support the U.S. Government's decision to pressure the Russians through diplomatic channels to help end the violence in Syria with a view to a transition of power.

117. Senator CORNYN. Mr. Kendall, do you agree that DOD has the ability to sever all current contractual relationships with Rosoboronexport?

Mr. KENDALL. The Department always retains the right to terminate any of its contracts. The contract with Rosoboronexport can be terminated, however, the United States currently benefits from this relationship in two ways. First, the Department is assured of proper Mi-17 delivery and support to the Afghan Air Force that enables Partner Nation Capability and a timely U.S. withdrawal. Second, the Department will obtain accurate engineering information for this aircraft to ensure safe air operations for the Afghans as well as for U.S. aircrews and passengers when they are onboard these aircraft.

118. Senator CORNYN. Mr. Kendall, do you agree that continuing to do business with Rosoboronexport undermines U.S. policy regarding Syria?

Mr. KENDALL. I believe the U.S. Government must carefully balance its national security objectives in its dealings with other nations. DOD's business with Rosoboronexport is strictly limited to acquiring Mi-17 helicopters and sustainment packages for the ANSF. In addition, the United States has other interactions with the Russian Government on a range of issues that are critical to U.S. national security and the mission in Afghanistan.

119. Senator CORNYN. Mr. Kendall, who in the administration directed that procurement of Mi-17 helicopters must be done using Rosoboronexport as broker?

Mr. KENDALL. The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), Dr. Ashton B. Carter, designated the Army as the Lead Service for Mi-17 and other non-standard rotary wing aircraft in January 2010. The need for these aircraft was documented by the Combined Airpower Transition Force/438th Expeditionary Wing to support development of an Afghan National Army Air Corps (later renamed the Afghan Air Force) capable of sustaining long-term security needs of Afghanistan and enabling the U.S. exit strategy.

Prior to May 2010, U.S. efforts to provide and support Mi-17s were constrained to purchases of civilian-variant Mi-aircraft in a world marketplace, necessitating costly modifications and severe flight limitations due to a lack of comprehensive engineering data that slowed the stand-up of Afghan capability. From August to December 2010, discussions with the Russian Government established that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the Russian manufacturer is the only source of complete engineering data. Diplomatic avenues were used to confirm these facts. This situation led USD(AT&L) to transfer procurement responsibility for 21 Mi-17s from the Naval Air Systems Command to the Army in December 2010.

In compliance with title 10 U.S.C. section 2304(c)(7) and the FAR 6.302–7, the Secretary of the Army (as Agency Head) authorized award of a contract for the required aircraft based on the public interest exception to full and open competition. The Secretary's decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet the robust requirements of operations in Afghanistan. The congressional defense committees were notified, consistent with the statute, prior to contract award.

120. Senator CORNYN. Mr. Kendall, the June 1, 2011, Army contract was a no-bid contract. What justification existed for not awarding this contract through an open and competitive selection process?

Mr. KENDALL. In compliance with title 10 U.S.C. section 2304(c)(7) and the FAR 6.302–7, the Secretary of the Army (as Agency Head) authorized award of a contract for the required aircraft based on the public interest exception to full and open competition. The Secretary's decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet the robust requirements of operations in Afghanistan. The congressional defense committees were notified, consistent with the statute, prior to contract award.

121. Senator CORNYN. Mr. Kendall, do you agree that the Obama administration's policy of trying to reset bilateral relations with Russia was a major factor in the decision to award this June 1, 2011, no-bid contract to Rosoboronexport, a state-controlled firm that is essentially an arm of the Russian Government?

Mr. KENDALL. No. The Department initiated discussions with the Russian Federation following the lifting of sanctions in 2010 for the primary purpose of obtaining access to authentic engineering data to support Mi-17 airworthiness. At that time, the Navy was processing a procurement action for additional aircraft. During discussions, the Russian authorities raised the issue that exports of aircraft for military

use must be conducted within Russian law, an interpretation that was potentially inconsistent with any contract action that involved export of either civilian or military aircraft from Russia, if the Russians judged the end use to be military. From August to December 2010, discussions with the Russian Government established that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the Russian manufacturer is the only source of complete engineering data. Diplomatic avenues were used to confirm these facts. This situation led USD(AT&L) to transfer procurement responsibility for 21 Mi-17s from the Naval Air Systems Command to the Army in December 2010.

In compliance with title 10 U.S.C. section 2304(c)(7) and the FAR 6.302–7, the Secretary of the Army (as Agency Head) authorized award of a contract for the required aircraft based on the public interest exception to full and open competition. The Secretary's decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet the robust requirements of operations in Afghanistan. The congressional defense committees were notified consistent with the stature prior to contract award.

122. Senator CORNYN. Mr. Kendall, are you aware that Rosoboronexport is not the actual manufacturer of Mi-17 helicopters, but only a broker?

Mr. KENDALL. Yes. In meetings with the Russian Federal Service for Military-Technical Cooperation, U.S. representatives were advised that Mi-17 aircraft purchased for military end-use can only be purchased from the Russian Federation's state-owned enterprise, Rosoboronexport. Rosoboronexport and the prime aircraft manufacturer, Kazan, participated in subsequent contract negotiations.

123. Senator CORNYN. Mr. Kendall, when will delivery of the initial 21 Mi-17 helicopters procured under the June 1, 2011, Army contract be completed?

Mr. KENDALL. Fifteen of the 21 aircraft have been delivered in Afghanistan to the Afghan Air Force. The remaining six aircraft are on schedule to be delivered at the end of June.

124. Senator CORNYN. Mr. Kendall, under the June 1, 2011, Army contract with Rosoboronexport for the purchase of 21 Mi-17 helicopters and spare parts, has the $550 million option for additional Mi-17s been exercised? If so, on what date was it exercised?

Mr. KENDALL. The option contract line item provides for up to 12 aircraft at a range of pre-negotiated prices that depend on the desired delivery date. Two aircraft with initial spares, tools, and technical publication support were ordered for $33.4 million in February to replace two aircraft destroyed in accidents. The NATO Training Mission-Afghanistan has also identified the need for 10 aircraft to replace Mi-17s that are nearing their life limited flight hours. The DOD Afghanistan Resources Oversight Council, established in compliance with congressional direction, has reviewed and approved NTM–A's request and funding source. Exercise of the 10 aircraft option, including initial spares, tools, and technical publications is planned for fourth quarter fiscal year 2012 at a projected price of $184.3 million.

The $550 million cost cited in the question is the ceiling price for the entire contract, including the 21 aircraft baseline and the 12-aircraft option.

125. Senator CORNYN. Mr. Kendall, if the option has not been exercised yet, does DOD/Army intend to exercise it? If so, what is the approximate timeframe for that?

Mr. KENDALL. The option contract line item provides for up to twelve aircraft at pre-negotiated prices. Two aircraft were ordered in February this year to replace two aircraft destroyed in accidents. The NATO Training Mission-Afghanistan identified funding for ten aircraft to replace Mi-17s that are nearing their life limited flight hours. The DOD Afghanistan Resources Oversight Council, established in compliance with congressional direction, has reviewed and approved NTM–A's request. Exercise of the option for the 10 is planned for fourth quarter of fiscal year 2012.

126. Senator CORNYN. Mr. Kendall, once delivery of the last of the initial 21 aircraft to be procured under this contract is complete, how many additional Mi-17s does DOD/Army anticipate needing to buy in order to round out the Afghan rotary aircraft requirement?

Mr. KENDALL. Delivery of the 21 aircraft meets the planned inventory requirement for the Afghan Air Force, although 2 crash-damaged aircraft are scheduled to be replaced. Additionally, the Afghan Air Interdiction Unit, which is being transformed to a Special Operations Unit, also operates 30 Mi-17 aircraft. No further purchases are planned at this time to increase total inventory for either unit, but

procurements will be needed to sustain both inventory levels and possibly to facilitate the new Special Operations Unit. Sustaining inventory levels require additional aircraft procurement because Mi-17s must be overhauled at a depot at specific flight hour limits and the number of overhauls is limited. Replacement aircraft are, and will be needed for aircraft that have no further flight hour availability. The NATO Training Mission-Afghanistan recently identified 10 Afghan Air Force aircraft for funded replacement. Those 10 plus the 2 crash damage replacements can be accommodated using the priced option on the existing contract. NTM–A has also proposed alternatives to replace aircraft for the Special Operations Unit that are being considered by the DOD Afghanistan Resource Oversight Council.

127. Senator CORNYN. Mr. Kendall, do you agree that we have viable alternative routes available to buy these same Mi-17 aircraft, notwithstanding any Russian claims to the contrary?

Mr. KENDALL. No, I do not agree that there are viable alternatives. It is my understanding that the Department has established, with assistance from the diplomatic community, that the Russian assertions regarding Rosoboronexport's control over exports of Mi-17 aircraft intended for military purposes is part of Russian law. While others may be able to purchase Mi-17s, delivery from within the Russian Federation could be blocked by Rosoboronexport. More importantly, the United States needs access to the prime aircraft manufacturer, Kazan, for accurate engineering support and data to ensure safe operations and maintenance and airworthiness on behalf of Afghan and U.S. personnel that operate, maintain, or are transported on these aircraft.

128. Senator CORNYN. Mr. Kendall, are you aware that in 2009 the Navy legally purchased four of these same dual-use Mi-17 helicopters through a private U.S. broker after an open and competitive selection process?

Mr. KENDALL. It is my understanding that the Navy purchased two Mi-8 and two Mi-171 aircraft, which are civilian variants of the Mi-17 on a commercial-style (FAR Part 12) contract in 2009. These aircraft were subsequently modified to a suitable configuration at an additional cost and are in service. The transaction was with a U.S. contractor acting as a broker. This Navy contract was awarded prior to the assertions by the Russians that exports of such aircraft would be in violation of their laws and would be blocked.

129. Senator CORNYN. Mr. Kendall, are you aware that these four helicopters are still flying today, presently in service with the North Atlantic Treaty Organization (NATO) Air Training Command-Afghanistan (NATC–A)?

Mr. KENDALL. Yes. The Army Program Manager for Non-Standard Rotary Wing Aircraft provides maintenance and engineering support for these aircraft. (Please note that the command has been renamed, the NATO Training Mission-Afghanistan).

130. Senator CORNYN. Mr. Kendall, are you aware that, after the successful 2009 procurement of Mi-17s, the Navy initiated a similar effort to procure 21 additional Mi-17s through an open and competitive selection process?

Mr. KENDALL. Yes. The Navy was tasked to procure these aircraft prior to the decision to establish the Non-Standard Rotary Wing Aircraft Program as a special interest program and the Department asked the Navy to continue that activity during the time the Non-Standard Rotary Wing Aircraft Program was being staffed and beginning operations. Following the May 2010 lifting of sanctions and discussions with the Russian Federation that established Rosoboronexport's role regarding Mi-17 exports, the USD(AT&L) directed the Navy to cease efforts to procure the aircraft and transferred responsibility to the Army.

131. Senator CORNYN. Mr. Kendall, are you aware that, on December 16, 2010, DOD put an end to that by transferring procurement authority for these 21 aircraft from the Navy to the Army?

Mr. KENDALL. Yes. USD(AT&L) transferred procurement responsibility for 21 Mi-17s from the Naval Air Systems Command to the Army in December 2010. The basis for that decision was a determination, confirmed through diplomatic channels, that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the Russian manufacturer is the only source of complete engineering data. The planned Naval Air Systems Command contract would not be able to resolve the need for complete engineering data.

132. Senator CORNYN. Mr. Kendall, how is a no-bid contract with Rosoboronexport preferable to a competitively awarded contract with a private U.S. broker?

Mr. KENDALL. On balance, consideration of several criteria resulted in contracting with Rosoboronexport. Most importantly, the Department gains access to the manufacturer's engineering expertise and direct support for determinations regarding the operation, maintenance, and airworthiness of these aircraft. Airworthiness considerations for both Afghan and U.S. personnel are an imperative consideration.

A contract with a broker not authorized by the manufacturer delivers an airworthy platform but the broker is unable to sustain that status lacking access to the manufacturer for the latest safety updates. Second, the contract with Rosoboronexport delivers aircraft in the desired configuration, modified with certain western equipment to facilitate interoperability with U.S. platforms. Deliveries from a broker in the past have required subsequent modifications at increased cost. Third, the Department's experience is that the product from Rosoboronexport is less costly than the total cost of purchases from brokers and post-delivery modification, without considering engineering support costs. The United States is assured that export of these aircraft for their intended military use will not be blocked, which could be the case when third parties are involved. Finally, the United States was advised that under Russian law, Rosoboronexport is the Russian Federation, state-owned, sole entity export of military use Mi-17 helicopters.

133. Senator CORNYN. Mr. Kendall, at your confirmation hearing, Senator Blumenthal asked Dr. Miller about DOD's efforts to find other helicopters that could be used, specifically asking if there is "an effort underway in development." Dr. Miller responded, "Senator, yes there is." Please describe what DOD has previously done and is currently doing to find alternatives.

Mr. KENDALL. It is my understanding that the Department has briefed key members of the congressional defense committees on a 2010 study led by the Office of the Secretary of Defense and the Joint Staff that examined the worldwide need for rotary wing aircraft for Security Force Assistance, especially in the instances where Building Partner Nation Capacity was involved. The study examined alternatives for meeting these requirements, including U.S.-source alternatives. Since this study was done, there have already been successes in transitioning some Partner Nations to U.S. helicopters; Iraq stands out as an example with the purchase of an armed variant of the Bell 407 helicopter. Several other U.S. firms offer military helicopters that are potentially suitable for Security Force Assistance missions.

In the case of Afghanistan, the Department has recently delivered six MD 530F Helicopters to serve as training aircraft for Afghan forces to begin a transition to more sophisticated rotary wing aircraft training. But the unique situation there precludes a near-term transition to any U.S. alternative to the Mi-17. The referenced study did compare a wide range of alternatives; however, the Mi-17 has proven superior not only in military and civilian operations in the high altitudes and hot temperatures of Afghanistan, but also in terms of lower procurement and operating cost. Furthermore, the Mi-17 is familiar to the Afghan pilots, aircrews, and maintenance personnel. Only a small percentage of the population is literate so recruiting and training additional personnel is difficult and transition to a more sophisticated western aircraft would entail a transition time that does not meet the current strategy.

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[The nomination reference of Hon. Frank Kendall III follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 24, 2012.*

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

Frank Kendall III, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, vice Ashton B. Carter, resigned.

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[The biographical sketch of Hon. Frank Kendall III, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HON. FRANK KENDALL III

*Education:*

Rensselaer Polytechnic Institute, Sept. 1966 to June 1967
U.S. Military Academy, West Point, NY, 1967-1971, B.S., June 1971
California Institute of Technology, Pasadena, CA 1971–1973, MS, Aerospace Engineering, 1972, Aeronautical Engineer Degree, 1974
Long Island University, C.W. Post Center, 1977–1980, MBA, June 1980
Georgetown University Law Center, 2000–2003, J.D. Feb. 2004

*Employment Record:*

Office of the Secretary of Defense

- Acting Under Secretary of Defense (Acquisition, Technology, and Logistics)
- October 2011–Present

Office of the Secretary of Defense

- Principal Deputy Under Secretary of Defense (Acquisition, Technology, and Logistics)
- March 2010–Present

Renaissance Strategic Advisors

- Partner
- January 2008–March 2010
- Small aerospace and defense consulting firm focused in the areas of strategic planning, merger and acquisition support and support to start-up aerospace and defense companies

Self-Employed Attorney

- Consultant (human rights issues)
- Represented individual clients, almost entirely on a pro bono basis and primarily individual asylum cases
- January 2004–March 2010

Self-Employed Private Consultant

- Independent Consultant
- Served various defense contractors, government organizations, and federally funded laboratories in the areas of technical management, program management, systems engineering, systems analysis, and strategic planning
- January 1999–March 2010

*Honors and Awards:*

Federal Civilian Awards:

- Defense Distinguished Civilian Service Medal
- Secretary of Defense Meritorious Civilian Service Medal
- Presidential Rank Award of Distinguished Executive (Senior Executive Service)
- Presidential Rank Award of Meritorious Executive (Senior Executive Service)
- Army Commander's Award for Civilian Service

Military Awards, U.S. Army:

- Meritorious Service Medal with oak leaf cluster
- Army Commendation Medal
- National Defense Service Medal

Other Awards:

- Defense Industrial Preparedness Association Gold Medal
- Rodney Smith Memorial Award for Excellence in Engineering (U.S. Military Academy)
- Four-year ROTC scholarship to Rensselaer Polytechnic Institute (used 1 year of scholarship before attending West Point)

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee.

The form executed by Hon. Frank Kendall III 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.)
Frank Kendall III.

2. **Position to which nominated:**
Under Secretary of Defense (Acquisition, Technology, and Logistics), Department of Defense.

3. **Date of nomination:**
January 24, 2012.

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:**
Pittsfield, MA; January 26, 1949.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Eva Elizabeth Halpern.

7. **Names and ages of children:**
Scott McLeod Kendall, 35.
Eric Sten Kendall, 30.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Pittsfield High School, 1963–1966, H.S. Diploma, June 1966
Rensselaer Polytechnic Institute, Sept. 1966 to June 1967
U.S. Military Academy, West Point, NY, 1967–1971, B.S., June 1971
California Institute of Technology, Pasadena, CA, 1971–1973, MS, Aerospace Engineering, 1972, Aeronautical Engineer Degree, 1974
Long Island University, C.W. Post Center, 1977–1980, MBA, June 1980
Georgetown University Law Center, 2000–2003, J.D., Feb. 2004

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
October 2011 to Present: Acting Under Secretary of Defense (Acquisition, Technology, and Logistics). Department of Defense, Pentagon, Washington, DC
March 2010 to Present: Principal Deputy Under Secretary of Defense (Acquisition, Technology, and Logistics). Department of Defense, Pentagon, Washington, DC
1999 to March 2010: Private Consultant, self-employed, Falls Church, VA. Independent consultant to various defense contractors, government organizations, and federally-funded laboratories in the areas of technical management, program management, systems engineering, systems analysis, and strategic planning.

2004 to March 2010: Attorney, self-employed, Falls Church, VA. Worked as a consultant on human rights issues and represented individual clients, almost entirely on a pro bono basis and primarily individual asylum cases.

January 2008 to March 2010: Managing Partner, Renaissance Strategic Advisors, Arlington, VA. Partner in a small aerospace and defense consulting firm. The firm's work is in the areas of strategic planning, merger and acquisition support and support to start-up aerospace and defense companies.

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.

1967–1982: Active Duty U.S. Army; left Active Duty with the rank of Captain

1982–1999: U.S. Army Reserve; retired with the rank of Lieutenant Colonel

1982–1986: U.S. Army Ballistic Missile Defense Systems Command, various civil service positions in engineering management and systems analysis

1986–1989: Assistant Deputy Under Secretary of Defense for Defense Systems, Office of the Secretary of Defense, Washington, DC.

1989–1994: Director of Tactical Warfare Programs, Office of the Secretary of Defense, Washington, DC.

1994–2004: Member and Vice Chairman, Defense Intelligence Agency Science Advisory Board

1995–2004: Member, Army Science Board

1995–2009: Consultant on the Defense Science Board on various studies

1998 (approximate) Consultant on the Naval Studies Board

2010–Present: Principal Deputy Under Secretary of Defense (Acquisition, Technology, and Logistics) (Acting Under Secretary from Oct. 2011 to Present)

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.

Associate member, Sigma Xi, Research Society
Member, Phi Kappa Phi, Honor Society
Member, American Bar Association
Member, Virginia Bar Association
Member, New York State Bar Association
Member, Association of the U.S. Army
Member, Association of Graduates, USMA
Member, Amnesty International, USA
Member, Naval Academy Sailing Squadron

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.

Participated as a volunteer in the Obama campaign 2007 to 2008, no formal affiliation or position.

Participated the Democratic Voter Protection program in 2008 election as a volunteer.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

2011:

Congress

John Douglas, $500

2010:

Senate

Russ Feingold, $250
Joseph Sestak, $250
Harry Reid, $250
Joe Manchin, $250
Alexander Giannoulias, $250
Michael Bennett, $250
Jack Conway, $250

Other

Progressives United PAC, $250
DCCC, $2,000

2008:

President

Barack Obama, General, $2,917

Senate

Kay Hagen, $1,000
James Martin, $1,000
Jeff Merkley, $1,000
Ronnie Musgrove, $1,000
Jack Reed, $1,000
Jeanne Shaheen, $1,000
Mark Warner, $1,000
Al Franken, $1,000

House

Patrick Murphy, $250
Sharen Neuhardt, $250

Other

DNC, $1,003
Democratic Party of VA, $1,000

2007

President

Barack Obama (primary), $2,300

House

Judy Feder, $250
Patrick Murphy, $250

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

*Military Awards, U.S. Army:*

Meritorious Service Medal with oak leaf cluster
Army Commendation Medal
National Defense Service Medal

*Federal Civilian Awards:*

Defense Distinguished Civilian Service Medal
Secretary of Defense Meritorious Civilian Service Medal
Presidential Rank Award of Distinguished Executive (Senior Executive Service)
Presidential Rank Award of Meritorious Executive (Senior Executive Service)
Army Commander's Award for Civilian Service

*Other Awards:*

Defense Industrial Preparedness Association Gold Medal
Rodney Smith Memorial Award for Excellence in Engineering (U.S. Military Academy)
Four-year ROTC scholarship to Rensselaer Polytechnic Institute (used 1 year of scholarship before attending West Point)

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

"The Sentry Ballistic Missile Defense System" with Mr. Tom Purdue, Journal of Defense Research (1982) (classified publication, best recollection of title)

"Exploiting the Military Technical Revolution; A Concept for Joint Warfare", Strategic Review (Spring 1992)

"Defense Contractor and Government Relationships", RDA Magazine (1995) (approximate title and date)

"Drawing the Line: Three Case Studies in Procurement Ethics", Program Manager Magazine (July–August 1998)

"Reclaim American Values; Prisoner Treatment Hands Power to Enemies", with LTG (ret) Charles Otstott, Defense News (April 16, 2007)

"End Impunity for U.S. Contractors in Iraq" Op Ed, The Topeka Capital Journal (August 10, 2007),

Guantanamo Military Commissions Observer Blog Postings for Human Rights First:

"Guantanamo: It All Seems So Normal", Human Rights First (April 9, 2008).

"They Clearly Never Met Any Military Attorneys", Human Rights First (April 11, 2008)

"I Will Leave in Your Hands the Camel and All That It Carries", Human Rights First (April 11, 2008)

"If There are Any Policies Dealing With How We Are to Treat and Handle Minors Who Are Captured, I Don't Care What You Think—That's Discoverable", Human Rights First, (April 14, 2008)

"Not Quite the Thing to Do Here", Human Rights First (July 14, 2008)

"The Sandman and Alfred Hitchcock Come to Guantanamo", Human Rights First (July 15, 2008)

"Doctors or Butchers, How Would I Know", Human Rights First (July 16, 2008)

The Constitution (chose one) Does/Does Not Apply at Guantanamo", Human Rights First (July 17, 2008)

"Today's Score From Guantanamo; Constitution-1, No-Constitution 3", Human Rights First (July 18, 2008)

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 approximately 40 speeches in my current position. These have been on acquisition policy for the most part. I generally speak from notes rather than a prepared text, however in a few cases I have used slides. I have also testified before Congress on several occasions, including:

October 2, 2009: PDUSD(AT&L) Confirmation Hearing, Senate Armed Services Committee

March 2, 2011: "U.S. Military Leaving Iraq: Is the State Department Ready?", Subcommittee on National Security, House Oversight and Government Reform Committee

March 29, 2011: "Tools to Prevent Defense Department Cost Overruns", Subcommittee on Federal Financial Management, Government Information, Federal Services and International Security Senate Homeland Security and Governmental Affairs Committee

May 3, 2011: "To receive testimony on the health and status of the defense industrial base and its science and technology-related elements", Subcommittee on Emerging Threats and Capabilities, Senate Armed Services Committee

October 19, 2011: "To receive testimony on the Final Report of the Commission on Wartime Contracting in Iraq and Afghanistan", Subcommittee on Readiness and Management Support, Senate Armed Services Committee

March 20, 2012: "Navy, Marine Corps, and Air Force Tactical Aviation Programs", Subcommittee on Tactical Air and Land Forces, House Armed Services Committee

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?

Yes.

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[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.]

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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.

FRANK KENDALL III.

This 23rd day of March, 2012.

[The nomination of Hon. Frank Kendall III was reported to the Senate by Chairman Levin on May 15, 2012, with the recommenda-

tion that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Hon. James Miller by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* In answer to advance policy questions at the time of your nomination to be Principal Deputy Under Secretary of Defense for Policy (USD(P)), you stated that you did not see any need for modifications of the Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms at that time. You stated that the Goldwater-Nichols Act resulted in "dramatic improvements in the effectiveness of the Armed Forces—from strategic decisionmaking to operational command and control. An entire generation of military officers now has a much improved perspective on coordinated, multi-Service, joint training and operations."

Taking into account your experience as Principal Deputy USD(P), is it still your view that no modifications of any Goldwater-Nichols Act provisions are needed at this time?

Answer. I continue to believe there is no need to modify the provisions of the Goldwater-Nichols Act at this time. The Act was a very significant piece of legislation that, over the course of more than two decades, has led to dramatic improvements in the effectiveness of the Armed Forces. Based on my experience since 2009, my assessment remains unchanged.

*Question.* If not, what areas do you believe might be appropriate to address in these modifications?

Answer. Please see my response above.

RELATIONSHIPS

*Question.* What is your understanding of the relationship between the USD(P) and each of the following?

The Secretary of Defense.

Answer. The USD(P) serves as the principal staff assistant and advisor to the Secretary of Defense for all matters concerning the formulation of national security and defense policy and the integration and oversight of DOD policy and plans to achieve national security objectives. The USD(P) provides policy support to the Secretary in interagency fora (such as National Security Staff deliberations), engagement with international interlocutors, and in the Planning, Programming, Budgeting, and Execution (PPBE) processes inside the Department, including the Quadrennial Defense Review, the Nuclear Posture Review, and annual program and budget reviews.

*Question.* The Deputy Secretary of Defense.

Answer. The Under Secretary for Policy provides similar support to the Deputy Secretary as described above.

*Question.* The other Under Secretaries of Defense.

Answer. The Under Secretary for Policy works closely with the other Under Secretaries of Defense to achieve the Secretary's objectives. This includes providing policy input, as appropriate, to each of them in their respective areas of responsibility. In addition, the Under Secretary for Policy works closely with the Under Secretary of Intelligence and other intelligence officials to ensure that policy formulation and execution are well informed and supported by intelligence.

*Question.* The Assistant Secretaries of Defense.

Answer. The USD(P) exercises authority, direction and control over the Principal Deputy USD(P), and the Assistant Secretaries of Defense for International Security Affairs (ISA), Asian and Pacific Affairs (APSA), Global Strategic Affairs (GSA), Special Operations and Low-Intensity Conflict (SOLIC), and Homeland Defense and Americas' Security Affairs (HD/ASA). This team works together to provide the Secretary with advice and recommendations on the full range of policy issues under consideration in the Department and provides policy oversight to ensure that the Secretary's guidance and decisions are implemented properly.

*Question.* The Secretaries of the Military Departments.

Answer. The USD(P) works closely with the Secretaries of the Military Departments on a broad range of issues, including defense strategy and policy develop-

ment, force planning and other areas in which the Military Departments are critical stakeholders.

*Question.* The Service Chiefs.

Answer. The USD(P) works closely with the Service Chiefs on a broad range of issues, including defense strategy and policy development, force planning and other areas in which the Military Departments and Services are critical stakeholders.

*Question.* The General Counsel of the Department of Defense (DOD).

Answer. The USD(P) works closely with the General Counsel on all policy issues that involve a legal dimension. In practice, this means significant and regular coordination on a broad range of issues.

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

Answer. As the principal military advisor to the Secretary of Defense, the President and the National Security Council, the Chairman has a unique and critical military role. The USD(P) works closely with the Chairman and Vice Chairman to support the efforts of the Secretary and Deputy Secretary in providing for the strategic direction of the Armed Forces, and to ensure that military advice is taken into account in an appropriate manner.

*Question.* The Commanders of the Regional and Functional Combatant Commands.

Answer. The USD(P) works closely with the Regional and Functional Combatant Commanders to support the efforts of the Secretary and Deputy Secretary, particularly in the areas of regional and functional strategy and policy, contingency planning and policy oversight of operations.

*Question.* The Director, Defense Security Cooperation Agency.

Answer. The USD(P) exercises authority, direction, and control over the Director of the Defense Security Cooperation Agency (DSCA). The Policy organization works closely with DSCA to provide the Secretary with advice and recommendations on the full range of security cooperation issues facing the Department.

DUTIES OF THE USD(P):

*Question.* Section 134 of title 10, U.S.C., provides that the USD(P) shall assist the Secretary of Defense in preparing written policy guidance for the preparation and review of contingency plans, and in reviewing such plans. Additionally, subject to the authority, direction and control of the Secretary of Defense, the Under Secretary shall have responsibility for supervising and directing activities of DOD relating to export controls. Further, subject to the authority, direction and control of the Secretary of Defense, the USD(P) is responsible for overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of DOD for combating terrorism.

DOD Directive 5111.1 reiterates these duties and specifically notes that the USD(P) is the principal staff assistant and advisor to the Secretary of Defense and the Deputy Secretary of Defense for all matters on the formulation of national security and defense policy and the integration and oversight of DOD policy and plans to achieve national security objectives.

What is your understanding of the duties and functions of the USD(P) under current regulations and practices?

Answer. If confirmed, I will perform the duties set forth in title 10 and the DOD Directive. The USD(P) serves as the principal staff assistant and advisor to the Secretary and Deputy Secretary of Defense for all matters concerning the formulation of national security and defense policy as well as the integration and oversight of DOD policy and plans to achieve national security objectives. Specifically, the USD(P) directly supports the Secretary of Defense in the interagency process, dealings with foreign counterparts, developing strategy and planning guidance for the PPBE process, providing policy oversight of current operations, and guiding the development and review of contingency plans. He, or she, is the Secretary's principal policy advisor on the use of the U.S. military and its adaptation for future missions.

*Question.* What is your understanding of the responsibilities of the USD(P) in combating terrorism, in particular as differentiated from those of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict?

Answer. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD/SOLIC) functions under the authority, direction, and control of the USD(P) in combating terrorism. More broadly, the ASD SO/LIC is defined in title 10 as the principal civilian adviser to the Secretary of Defense on special operations and low intensity conflict matters.

*Question.* Assuming you are confirmed, what additional duties and functions do you expect that the Secretary of Defense would prescribe for you?

Answer. If confirmed, I will discuss with Secretary Panetta how the OSD Policy organization and I can best support him, including whether there are any duties and functions he would prescribe beyond those set forth in section 134(b) of title 10, and the DOD Directive for USD(P). At this time, I have not identified any such additional duties and functions.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for this position?

Answer. During the past 3 years, I have been honored to serve as the Principal Deputy Under Secretary of Defense for Policy (PDUSDP). In that capacity, I served as the principal staff assistant to the USD(P), and provided advice and assistance to the Secretary of Defense and Deputy Secretary of Defense on all matters concerning the formulation of national security and defense policy, and the integration and oversight of DOD policy and plans to achieve national security objectives. This work included the full scope of defense policy issues, including both urgent operational challenges (e.g., developing policy for Afghanistan and ways to counter Iran's nuclear program), and setting policy to shape the force of tomorrow (e.g., crafting the Quadrennial Defense Review and Nuclear Posture Review, concluding the New START treaty, developing new DOD strategic guidance, and setting policy and prioritizing investments in new technologies including cyber capabilities).

Prior to my position as PDUSDP, I spent 25 years working on a wide range of defense and national security issues, both in and out of government. I had the honor to work for the late Les Aspin for 4 years as a professional staff member of the House Armed Services Committee, where I was responsible for both policy and procurement issues. I was privileged to serve for over 3 years as Deputy Assistant Secretary of Defense for Requirements, Plans and Counterproliferation Policy, where my office led defense planning, oversight of war plans, and efforts to improve the military's ability to cope with weapons of mass destruction. During my time outside of government, I have had the opportunity to teach and conduct research on national security issues, to establish and lead a private sector group that provided consulting services to DOD, and to serve in a leadership position for a then newly-established national security think tank. In addition, I have served on a number of studies and panels including as an advisor to the Defense Science Board, and as an expert to the Commission on the Strategic Posture of the United States. I believe that my substantive expertise and experience would allow me to serve the country well if confirmed as USD(P).

CONTINGENCY PLANNING:

*Question.* One of the purposes of Goldwater-Nichols was to increase military and civilian attention on the formulation of strategy and contingency planning. The USD(P) is specifically directed to assist the Secretary of Defense in preparing written policy guidance for the preparation and review of contingency plans and in reviewing such plans.

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

Answer. The role of civilian leadership is not only statutorily mandated, but critical in the formulation of defense strategy and planning. Civilian defense leadership is particularly vital in translating broad national security policies and principles into the strategic ends that ultimately drive military planning.

More specifically, the USD(P) supports the development of the President's National Security Strategy, leads the development of the defense strategy, establishes realistic objectives and guidance to form the basis for contingency planning, and reviews DOD plans and programs to ensure they support strategic objectives. In addition to the provision of written guidance, an important civilian leadership role is to review contingency plans submitted for approval by the combatant commanders. The USD(P) is also responsible for facilitating interagency coordination on contingency planning efforts, as necessary.

*Question.* In your opinion, does the civilian leadership currently have an appropriate level of oversight of strategy formulation and contingency planning?

Answer. I believe that the current level of civilian oversight of strategy formulation and contingency planning is appropriate.

*Question.* What steps do you believe are necessary to ensure effective civilian control and oversight of strategy formulation and contingency planning?

Answer. DOD should continue to fortify its capacity for strategic thinking and strategic planning to ensure that it not only deals with the challenges of today but is also well prepared for those of tomorrow.

The recently released DOD strategic guidance is evidence that the Department thinks critically about strategy formulation and its associated resource implications—a trend that, if confirmed, I will continue to work to reinforce. If confirmed, I would also continue to strive to provide the best advice possible to the Secretary of Defense in fulfilling his responsibility to provide written policy guidance and to review contingency plans. Finally, I would coordinate closely with the Joint Staff to develop further opportunities to collaborate on planning guidance and reviews.

MAJOR CHALLENGES AND PRIORITIES

*Question.* In your view, what are the major challenges confronting the USD(P)?

Answer. If confirmed as USD(P), I look forward to playing an important role within the Department and the interagency process in developing policy in a number of key areas, including: defeating al Qaeda and countering the continuing threat of violent extremism; transitioning security responsibility in Afghanistan in a way that protects U.S. vital interests; preventing the proliferation of weapons of mass destruction, particularly in the cases of Iran and North Korea; strengthening alliances and partnerships globally to further strengthen U.S. and international security; maintaining stability in Asia and other key regions; advancing U.S. interests in the context of dramatic changes that have unfolded and are unfolding in the Middle East and North Africa; continuing to strengthen the U.S. defense posture globally, as well as in cyberspace and outer space; and most importantly, ensuring that the United States and its vital interests are secure from attack (this requires continued effort in all of the above-noted areas, as well as sustaining the U.S. nuclear deterrent, missile defenses, and homeland defense capabilities). A key challenge will be to support the Secretary of Defense and the U.S. Government in resolving these and other issues—and pursuing opportunities—in the context of significant fiscal pressures.

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

Answer. If confirmed, I would address these challenges by undertaking the development and implementation of both DOD and interagency strategies, policies and plans for key regional and functional issues. I would continue to work closely with other components of DOD in support of the Secretary of Defense, as well as our interagency partners, U.S. allies and partners, and where appropriate the private sector and non-governmental organizations. I would seek to ensure that strategies, policies, and plans are updated as needed to reflect new challenges and new opportunities. I would work to support the President and Secretary's guidance to shape a Joint Force for the future that will be smaller and leaner, but will be flexible, agile, ready, and technologically advanced. I would work with counterparts in other agencies and across the Department to rebalance towards the Asia-Pacific region and place a premium on the Middle East, while remaining the security partner of choice across the globe.

*Question.* If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the USD(P)?

Answer. If confirmed, I would work to ensure that DOD pursues a strategic and balanced approach consistent with the recently-released Defense strategic guidance. Top priorities would include addressing the challenges listed in my answer to previous question, including defeating al Qaeda, ensuring the success and effective transition of the mission in Afghanistan, preventing Iran from acquiring a nuclear weapon, and protecting the U.S. Homeland. Continuing to strengthen our Alliances and partnerships, and ensuring that the United States engages through forward presence and is the partner of choice globally, will be a key priority. I would also ensure a strong connection between strategy and resources—making disciplined decisions based on our priorities—and ensure effective working relationships with both military and civilian counterparts through the Department and with our Federal departments and agencies.

DEPARTMENT OF DEFENSE STRATEGIC GUIDANCE

*Question.* The new DOD strategic guidance, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense," announced by President Obama on January 5, 2012, sets out the defense priorities for the 21st century and the key military missions for which the DOD will prepare.

As Principal Deputy USD(P), what role did you play in the preparation of the new DOD Strategic Guidance?

Answer. The strategic guidance was deeply informed by the Department's most senior civilian and military leadership. As the Principal Deputy USD(P), I provided advice and assistance to the Secretary of Defense, Deputy Secretary, and USD(P),

and worked closely with other civilian and military components including the Joint Staff. More specifically, I participated actively in the conceptualization and writing of the guidance, including the description of the projected security environment, the key military missions for which DOD must prepare, and prioritization of the key capabilities associated with succeeding at those military missions.

Do you agree with the defense priorities set out in that guidance? What changes, if any, would you recommend to those defense priorities?

Answer. I agree with the defense priorities set out in the guidance, and would not recommend any changes at this time. Like all strategies and guidance, I believe that it will be important to review and update this guidance in the future.

AFGHANISTAN STRATEGY

*Question.* Do you support the counterinsurgency strategy for Afghanistan? In your view, is that the right strategy?

Answer. Yes, I support the strategy that the President has set forth and that we are now implementing, and I believe it is the right strategy. A focused counterinsurgency campaign, with a transition plan that includes an enduring U.S. commitment to Afghanistan, will allow us to help the Afghans build security forces and government capacity that can provide the security necessary for an Afghanistan that does not again become a safe haven for terrorists.

*Question.* If confirmed, are there changes you would recommend to the U.S. strategy in Afghanistan?

Answer. As I have testified recently to the Senate and House Armed Services Committee, I believe that the U.S. strategy in Afghanistan is sound. I also believe that, over time, the administration should continue to assess and adjust as necessary its implementation of the overall strategy based on conditions on the ground, and am committed to consulting with Congress, and with our allies and partners in this regard.

*Question.* Do you support the President's decision to withdraw the 33,000 U.S. surge forces from Afghanistan by the summer of this year?

Answer. Yes. I support a responsible, conditions-based drawdown as called for by the President. We have already withdrawn the first 10,000 surge forces, and the remaining 23,000 will be home by the end of September. The key to success in Afghanistan is the ability of Afghan National Security Forces to provide security. Our surge has allowed the Afghans to build up a more capable force, and set conditions for reducing our forces as planned.

*Question.* Do you believe that timetable should be accelerated?

Answer. No. I believe that the planned timetable to withdraw the remaining 23,000 surge troops is appropriate.

*Question.* If confirmed, what changes, if any, would you recommend to our strategy in Afghanistan as a result of the drawdown of U.S. forces?

Answer. I believe that the U.S. strategy for Afghanistan is sound, and do not recommend any changes at present. I believe that the strategy for Afghanistan (and other strategies and plans) should be regularly assessed, and adjustments made as necessary.

*Question.* On March 11, 2012, 16 Afghan civilians, including women and children, were killed in a village near Kandahar, allegedly by a U.S. soldier acting alone. A few days later, it was reported that the Taliban suspended preliminary peace talks with the United States and decided not to open a political office in Doha. In addition, President Hamid Karzai called for all NATO forces to withdraw from Afghan villages and remain in major bases.

What is your assessment of the impact of the civilian killings and of the February 22, 2012, incident involving burning of Qurans on the ability of ISAF to carry out its mission?

Answer. These incidents created near-term challenges and likely increased risks to U.S., coalition, and Afghan forces in some areas of Afghanistan. However, although tragic and unfortunate, these were isolated incidents, and are not indicative of the state of the campaign. As President Obama stated on March 15, 2012, after speaking with President Karzai, the United States remains committed to completing the process of transition and Afghan National Security Forces taking full responsibility for security across the country by the end of 2014.

*Question.* What is your assessment of the impact of these incidents on the U.S. strategy in Afghanistan and the planned withdrawal of U.S. surge forces from Afghanistan?

Answer. My assessment is that these incidents should not affect U.S. strategy or the planned withdrawal of U.S. surge forces from Afghanistan.

AFGHANISTAN TRANSITION

*Question.* Do you support the goal of transitioning lead responsibility for security throughout Afghanistan to the Afghan security forces by 2014?

Answer. Yes. Transition is progressing on a positive track. The first two tranches of transition are being implemented, and approximately 50 percent of the Afghan population now lives in areas where the Afghans have the lead for security. We expect the third tranche to be announced in spring 2012, and the fifth and final tranche in mid-2013. We are finding that Afghan forces are able to provide effective security in transition areas.

*Question.* In your view, what are the main challenges to the success of the transition to an Afghan security lead throughout Afghanistan by 2014?

Answer. Safe havens for insurgents in Pakistan and Afghan capacity in the governance and development areas remain the most challenging aspects of transition. The limited capacity of the Afghan Government to govern effectively and to fill government positions at the national and sub-national levels hinders the ability to assume leadership on these lines of operation. Efforts in these areas must underpin the success of the security transition in the effort to achieve durable stability in Afghanistan.

*Question.* What measures are being taken, following the murders of U.S. and NATO soldiers last month, to protect NATO and U.S. trainers working with Afghan security forces?

Answer. General Allen took some immediate steps after these incidents, including removing U.S. personnel from ministries until their security could be ensured in light of lessons learned from these incidents. The Afghan Government is working to increase their counterintelligence and biometric capability. We are also undertaking additional steps, such as increasing cultural awareness training for trainers and advisors, as part of the security force assistance strategy.

AFGHANISTAN NATIONAL SECURITY FORCES

*Question.* What is your assessment of the progress in developing a professional and effective Afghan National Security Force (ANSF)?

Answer. ANSF operational effectiveness is improving and the ANSF are demonstrating increasing capability. Currently, 13 of 156 ANA Kandaks or Battalions have the highest possible rating, "Independent with Advisors." However, the more critical measure is the number of units rated at "Effective with Advisors" and "Effective with Partners," which are the levels necessary to support transition. Since December 8, 2011, the percentage of ANA units rated as "Effective with Partners" or higher grew from 85 percent to 91 percent. Although the ANSF are currently not ready to operate independently of ISAF in most areas, they are assuming an ever increasing leadership role in operations across Afghanistan, and are on schedule to meet the 2014 goal for transition of security responsibility to the Afghan Government.

*Question.* What do you see as the main challenges to building the capacity of the Afghan National Army and Afghan National Police to be able to assume lead security responsibility by 2014?

Answer. A first challenge is to continue to build out the full complement of 352,000 ANSF, and to continue to improve the quality, readiness, and performance of these forces. We need to continue ongoing programs to expand ANSF literacy, and continue to provide financial and advisory support to the institutional training centers and existing Afghan training cadres that are currently building leadership and technical capacity of both the Army and the Police. A second challenge is for the ANSF to develop a greater capacity for critical enablers, including logistics support; mobility (e.g., rotary wing); intelligence, surveillance, and reconnaissance; and operational planning. Third and most broadly, the ANSF must continue building its self-confidence through operational success in taking the lead responsibility for securing transitioned areas and protecting the Afghan people.

*Question.* If confirmed, what recommendations, if any, would you make for addressing those challenges?

Answer. If confirmed, I would continue current efforts to simplify and accelerate the distribution of ANSF goods and services, support the continued provision of U.S. enabler support as a bridging strategy, and continue the mentoring of Afghan leadership training and education programs.

*Question.* What do you see as the main challenges to sustaining the ANSF through 2014 and beyond, and if confirmed, what recommendations, if any, would you make for addressing these challenges?

Answer. A sustained and well-organized international effort to train, advise, and assist the ANSF will be critical to their success both before and after transition in

2014. Building ANSF "enabler" capacity, as noted in my answer to a preceding question, will also be critical. Continued improvement in the functioning of the Ministries of Defense and Interior, including sustained progress in fighting waste and corruption will be essential. The United States and other coalition partners must continue to provide the requisite fiscal and personnel support. Maintaining the international community's support for the ANSF through 2014 and beyond is essential. We have worked with other U.S. Government departments and agencies to develop a focused international engagement strategy leading up to the NATO Summit in Chicago in May. The Chicago Summit will serve as a key milestone in solidifying the international community's long-term support and commitment to the ANSF, first established in Lisbon and reaffirmed in Bonn, through 2014 and beyond.

U.S. RELATIONSHIP WITH PAKISTAN

*Question.* What is your assessment of the current U.S.-Pakistan security relationship?

Answer. Our relationship with Pakistan is challenging but critical to our national security and our regional interests. Over the past year, the relationship has suffered a number of setbacks and, until recently, our relationship has been nearly frozen. We look forward to working with Pakistan to define and develop a more constructive and durable relationship once Pakistan's parliamentary review process concludes.

Historically, the U.S. military-to-military relationship with Pakistan, like our overall relationship, has seen good and bad phases. However, we still have important shared objectives. A core U.S. national security goal is to disrupt, dismantle, and defeat al Qaeda and its affiliates to ensure that they do not find safe havens in Afghanistan and Pakistan, and to mitigate the threat to the United States, our allies, and interests abroad. Pakistan has suffered more than 11,000 military personnel killed or wounded and more than 30,000 civilian casualities in recent years from terrorist actions. The Pakistani military is operating currently against some, but not all, militants that enable the safe havens, and we are committed to working with Pakistan to address this persistent threat. As President Obama has said, "We have killed more terrorists on Pakistani soil than anywhere else, and that could not have been done without their cooperation." Pakistan also has a clear stake in Afghan stability and will be an important participant in the process that ultimately brings the conflict to a successful conclusion.

*Question.* In your view, does the United States have a strategic interest in pursuing increased cooperation with Pakistan on counterterrorism or other security matters?

Answer. Yes. I believe U.S. interests in the region and in Asia more broadly require a stable and constructive relationship with Pakistan wherein we can cooperate on matters of shared concern, such as counterterrorism. The fact that Pakistan is a state that possesses nuclear weapons and faces internal threats from extremist organizations adds to the importance of a continued relationship with Pakistan. It is in the U.S. interest for Pakistan to have a strong, civilian-led government and an open society, to live in peace and security with its neighbors, and to ensure its nuclear assets remain secure.

President Obama recently stated, "We will continue the work of devastating al Qaeda's leadership and denying them a safe haven." The conditions that allow the group to maintain its safe haven and regenerate—including its ability to capitalize on relationships with militant affiliates—can only be addressed through a sustained local presence opposed to al Qaeda. Therefore, we will defeat al Qaeda only through a sustained partnership with Pakistan. Greater Pakistani-U.S. strategic cooperation across a broad range of political, military, and economic pursuits will also be necessary to achieve the defeat of al Qaeda in Pakistan and Afghanistan as we work to change the conditions on the ground that give rise to safe havens.

If confirmed, I will continue to support DOD's efforts in coordination with our interagency partners for a constructive and mutually beneficial relationship with Pakistan, aimed at advancing shared national security objectives.

THE HAQQANI NETWORK

*Question.* The Haqqani network, which has been linked to a number of deadly attacks on Afghan, U.S., and other coalition forces in Afghanistan, operates from safe havens in Pakistan. It has been repeatedly alleged that the Pakistan intelligence agency, the Inter-Services Intelligence (ISI), provides support to the Haqqani network.

What is your understanding of the rules of engagement for U.S. troops in Afghanistan who are subjected to cross-border attacks from Haqqani or other insurgent forces on the Pakistan side of the Afghanistan-Pakistan border?

Answer. My understanding is that U.S. forces in Afghanistan are authorized to act in self-defense when they are under attack. I also understand that ISAF and CENTCOM are working with the Pakistanis to improve cross-border coordination and have conducted several tripartite meetings with Afghan and Pakistani security forces in recent months.

*Question.* Do you agree that it is essential, if U.S.-Pakistan relations are ever to be normalized, that Pakistan eliminate its support for the Haqqani network and denounce the cross-border attacks conducted by the Haqqanis and other insurgents against Afghan and coalition forces in Afghanistan? Why or why not?

Answer. The ability of violent extremist groups to find support and safe haven in Pakistan poses a significant threat to U.S. forces, the NATO mission, and the long-term stability of Afghanistan. Attacks against U.S. and coalition personnel are unacceptable. It is Pakistan's responsibility to prevent attacks from its territory on others, including Afghanistan and U.S. forces there. If Pakistan does not address these threats, the United States will have to consider a range of options, but it is best when we have Pakistan's cooperation. Pakistan has legitimate concerns that should be understood and addressed, if possible, by the Afghan Government in any process to bring about a stable and durable political solution in Afghanistan. But Pakistan also has responsibilities of its own, including taking decisive steps to ensure that the Afghan Taliban and affiliated organizations, including the Haqqani network, cannot continue to conduct the insurgency from Pakistani territory.

Increased Pakistani action is particularly critical with respect to groups such as the Haqqani network, which continues to maintain close ties to al Qaeda and other violent extremist organizations that pose real threats to the United States, and indeed to the people and Government of Pakistan. In my view, we should continue to work closely with Pakistan to encourage it to act against extremists, including the Haqqani network, and extremist safe havens that threaten U.S. and Pakistani security, and works toward a stable, peaceful, and prosperous region.

U.S. ASSISTANCE TO PAKISTAN

*Question.* The United States has provided significant military assistance to Pakistan, including foreign military financing and training and equipment through the Pakistan Counterinsurgency Fund (PCF) to build the capacity of the Pakistan Army and Frontier Scouts to conduct counterinsurgency operations.

In your view, should the provision of U.S. military assistance to Pakistan be conditioned on the Government of Pakistan, including the Pakistan military, providing greater cooperation to the United States on counterterrorism efforts?

Answer. In my view, our current capacity-building programs with the Pakistan military and paramilitary forces have been an important component in improving the Pakistan military's counterterrorism and counterinsurgency capabilities in order for Pakistan's military to fight extremists whose safe havens enable terrorists that threaten the United States. Our assistance has also helped to improve cross-border coordination. Going forward, it is vital that Pakistan live up to its responsibilities, including to cooperate fully in counterterrorism matters, and to expand its counterinsurgency campaign against all extremists and militant groups that have found safe haven inside Pakistan. In the wake of the Osama bin Laden raid, the administration asked Pakistan to take a number of concrete steps to demonstrate its continued commitment to a cooperative and mutually beneficial relationship. Future provision of security-related assistance will be informed by Pakistan's response to these requests and to the overall restart of our relationship in the wake of the November 26, 2011, cross-border incident that resulted in the deaths of 24 Pakistan Army soldiers. If confirmed, I will work with Congress to ensure that the support the United States provides to Pakistan yields the results we seek.

IRAQ

*Question.* President Obama has said that the December 31, 2011, withdrawal of all U.S. military forces from Iraq marked the beginning of a "new chapter" in the U.S.-Iraq relationship.

What in your view are the highest priorities for the U.S.-Iraq security relationship going forward?

Answer. Developing a long-term security relationship with Iraq, as part of a broader enduring commitment to regional peace and security, is one of our highest priorities. This relationship should include consultation on regional security issues, and the continued development of appropriate Iraqi military capabilities.

The Office of Security Cooperation-Iraq (OSC–I) is a foundation for our military-to-military ties with Iraq. OSC–I is under Chief of Mission authority, and admin-

isters security assistance programs and conducts security cooperation activities with the Iraq Security Forces.

*Question.* What do you see as the greatest challenges facing the Department with regard to our security relationship with Iraq and, if confirmed, how would you recommend meeting those challenges?

Answer. Ensuring Iraq's integration into the regional security framework will remain an important task. We will continue to work to strengthen our military-to-military ties with Iraq through security cooperation activities, while helping to expand Iraq's military engagement with key regional partners.

If confirmed as the USD(P), I will co-chair the Defense and Security Joint Coordination Committee, established under the Strategic Framework Agreement, and will continue efforts to strengthen bilateral relations. We will seek to bolster the U.S.-Iraq defense partnership on a wide array of security-related matters.

IRAN

*Question.* The President said: "America is determined to prevent Iran from getting a nuclear weapon, and I will take no option off the table to achieve that goal."

Do you agree that we should leave all options on the table with respect to Iran? If so, why? If not, why not?

Answer. Yes, I agree. As the President said, in ensuring that Iran does not obtain a nuclear weapon, we are using all elements of national power to encourage Iran to make a choice to meet its international obligations and rejoin the community of nations, or face severe and growing consequences if it continues to violate its obligations. This includes a political effort aimed at isolating Iran, a diplomatic effort to sustain our coalition and ensure that the Iranian program is monitored, an economic effort that imposes crippling sanctions, and a military effort to be prepared for any contingency. I believe that sanctions are beginning to have an impact.

Sanctions and political pressures are having an effect on Iran, and Iran is not on the verge of achieving a nuclear weapon. Therefore, there is time and space to pursue diplomacy, backed by pressure. At the same time, all options including the use of military force should remain on the table, to increase pressure on Iran and improve the prospects of diplomacy, and to be prepared to take action should diplomacy not succeed.

*Question.* In your view, what should be the role of DOD, and the USD(P) in particular, for advancing the President's policy with respect to Iran?

Answer. The role of the Department and the Under Secretary is to provide the Secretary of the Defense and the President sound policy advice and prudent planning, in coordination with military counterparts, to ensure that the President has the best available options to meet U.S. policy objectives regarding Iran.

The Defense Department plays a supporting role to the Department of State and Department of the Treasury in increasing pressure on Iran, and a central role in reassuring our regional partners and preparing for all possible contingencies.

The Defense Department supports State and Treasury's efforts to isolate Iran diplomatically, regionally and globally, and to impede its ability to advance its nuclear and ballistic missile programs in violation of United Nations Security Council Resolutions. Building upon this, the Office of the USD(P) is working with partners to counter Iran's efforts to destabilize the region, especially following the Arab Spring.

DOD has invested substantially in and deepened our defense partnerships in the region, building a robust regional security architecture that blunts Iran's ability to threaten and coerce its neighbors.

We have enhanced our significant and enduring U.S. force presence in the region and we have worked to develop a network of air and missile defenses, shared early warning, improved maritime security, closer counterterrorism cooperation, expanded programs to build partner capacity, and increased efforts to harden and protect our partners' critical infrastructure. We have conveyed clearly our commitment to protecting maritime freedoms that are the basis for global prosperity; this is one of the main reasons our military forces operate in the region.

These efforts have reassured our partners in the region. They demonstrate unmistakably to Tehran that any attempt to dominate the region will be costly and futile.

Taken together, the Department contributes to the administration's multi-dimensional approach to ensure that the President is in a position where he can employ any option—or the full range of options—as we continue to ratchet up the pressure and price for Iran's intransigence.

SYRIA

*Question.* The situation in Syria continues to deteriorate on a daily basis and—absent international action—President Bashar al Assad appears intent on staying in Syria and continuing his brutal crackdown on the Syrian people.

What is your assessment of the situation in Syria?

Answer. As the Secretary said in his statement to this committee earlier this month, the tragedy in Syria has justifiably evoked the concern and outrage of the United States government, the American people and much of the world. I agree with the President, the Secretary, and a broad cross-section of the international community who have stated unequivocally that Bashar al-Assad must halt his campaign of killing and crimes against his own people now, step aside and allow a democratic transition to proceed immediately.

*Question.* What role, if any, should the United States play in developing international consensus on a path forward in Syria?

Answer. The situation in Syria demands an international response. The United States has been leading efforts within the international community to pressure Assad to stop his violence against the Syrian people and to step aside.

The administration's focus is on translating that international consensus into action along four tracks:

1. We are working to increase the diplomatic and political isolation of the Assad regime and encourage other countries to join the United States, the European Union, and the Arab League in imposing sanctions on the regime.
2. We are providing emergency humanitarian assistance to the Syrian people, with a total commitment to date of $12 million.
3. We are working closely with the Friends of the Syrian People group (70 countries and the Syrian National Council) to try to encourage the various opposing groups to unify and lay groundwork for a peaceful, orderly transition to a democratic government that recognizes and respects the rights of all Syrians—including minorities.
4. DOD is developing options that can be executed, as directed by the President. These options address a range of potential contingencies related to instability in Syria, including the provision of humanitarian assistance.

We are reviewing additional steps that can be taken with our international partners to help protect the Syrian people, end the violence, and ensure regional stability.

YEMEN AND AL QAEDA IN THE ARABIAN PENINSULA

*Question.* Prior to the current political crisis in Yemen, the U.S. Government had a robust security assistance program to help the Yemeni security forces take action against al Qaeda in the Arabian Peninsula (AQAP). Some observers, while supportive of U.S. security assistance to Yemen, have suggested that the problems being confronted by the Government of Yemen cannot simply be addressed with the provision of additional security assistance.

What is your assessment of the security situation in Yemen?

Answer. The United States and Yemen face a common enemy in al Qaeda. Recent AQAP attacks against the Yemeni Government demonstrates AQAP's determination to undermine the security situation and disrupt Yemen's ongoing democratic transition. We must continue to work with President Hadi and the national unity government to sustain the pressure against AQAP and deny it a safe-haven and an operational platform.

*Question.* What criteria would you use in determining whether security assistance and associated training activities in Yemen should resume?

Answer. Last year, the administration temporarily postponed the transfer of lethal security assistance to Yemen in response to the unstable political and security conditions. Since then, the situation in Yemen has improved, and the new Yemeni Government has met key benchmarks in their democratic transition process. The new Yemeni leaders held successful presidential elections to replace Ali Abdullah Saleh, and they have demonstrated a commitment to confronting al Qaeda. In addition, they are preparing to reform their constitution and reorganize their military. DOD has been working with the Department of State to re-assess our Yemeni partner units and, thus far, we have not found any evidence that Yemeni units that have received or are slated to receive security assistance have committed human rights violations. The administration has therefore agreed to resume the transfer of lethal security assistance on a case-by-case basis to support units in the Yemeni Armed Forces that are actively engaged in the fight against al Qaeda. As part of our longstanding commitment to guard against potential human rights abuses, the

administration will continue to monitor assistance to ensure it serves its intended purpose.

*Question.* Given the current policy limitations on lethal security assistance to the Yemeni counterterrorism forces, what is your assessment of the U.S. strategy to counter AQAP in Yemen?

Answer. Throughout the political instability of the past year, we have maintained a strong working relationship with Yemeni counterterrorism (CT) forces. Although we scaled back some U.S. security assistance, we have still been able to collaborate on a number of operational issues that have degraded AQAP and disrupted its external plotting. In response to the relatively successful political transition in Yemen, the administration has decided to resume and expand U.S. security assistance with the goal of helping the Yemeni Government better combat AQAP and secure its territory.

*Question.* As AQAP continues to gain territory in Yemen, some observers have argued that the United States should assist the Yemeni Government reverse these territorial gains. Others view the territorial gains by AQAP as part of an insurgency and that any effort to confront AQAP should be led and conducted by the Yemenis with limited—if any—assistance from the United States.

What are your views on the proper role of the United States in Yemen?

Answer. In my view, the United States should continue to work with the Yemeni Government on combating AQAP, which poses a threat to both U.S. and Yemeni security. This includes building Yemeni capacity to counter AQAP and deny safe havens, collecting intelligence on AQAP and the threat it poses, undermining AQAP's message, and, when necessary, conducting combined operations against the group. AQAP has recently made some territorial gains in Yemen, and many in the organization desire to attack the United States and our allies and interests. Therefore, it is in the interest of the United States to ensure that the group is not able to succeed in any way.

*Question.* In your view, should U.S. interests be limited to those individuals in AQAP that are seeking to conduct external operations against the United States and our interests or should the United States assist the Yemeni Government to confront this insurgency?

Answer. AQAP poses a sustained threat to the U.S. Homeland, and our allies and partners defeating AQAP is the top CT priority for the Arabian Peninsula. We should give top priority to preventing AQAP's external attacks, but we cannot let AQAP seize territory and establish a safe haven within Yemen. I believe that the United States should continue to assist the Yemeni Government in confronting the group, and continue to help build Yemeni security capacity so that the Yemeni Government can eventually disrupt, dismantle, and defeat AQAP with only limited U.S. involvement.

NATO

*Question.* In your view, how important is the North Atlantic Treaty Organization and the U.S. transatlantic relationship with our Alliance partners to U.S. national security interests?

Answer. NATO remains of vital importance, and has become a net provider of global security. As President Obama has said, "Europe remains the cornerstone of our engagement with the world," and NATO is "the most capable Alliance in history."

The transatlantic relationship is of critical importance to U.S. national security, and the transatlantic community has never been more closely aligned in confronting the challenges of a complex, dangerous, and fast-changing world. For example, in Libya, NATO allies came together with Arab and other partners to prevent a humanitarian catastrophe, and to support the Libyan people. In Afghanistan, with nearly 40,000 allied and partner forces alongside our own, we have built and sustained NATO's largest-ever overseas deployment. As Iran has continued to defy its obligations pursuant to U.N. Security Council resolutions, the United States, Europe, and other partners have put in place the toughest sanctions yet.

*Question.* What are the greatest challenges and opportunities that you foresee for NATO over the next 5 years?

Answer. The United States has important stakes in a strong, mutually supportive NATO Alliance, and the President has stressed his strong desire to rebuild and adapt transatlantic security relationships to meet 21st century security challenges. NATO's new Strategic Concept is an important step in ensuring that NATO will continue to play its unique and essential role in ensuring the common security of its members, and it will guide the next phase in NATO's evolution.

Over the next 5 years, the top NATO-related challenges include achieving durable progress and a successful transition in Afghanistan, implementing missile defense in Europe, and stemming the deterioration in European military capability. Many of our NATO allies have been underperforming in terms of their own investments in defense capabilities, especially when it comes to deployable expeditionary forces. Many have significantly reduced their national defense budgets in response to the global economic crisis, and some are planning further cuts. A key challenge—and a key opportunity—will be for allies to determine which capabilities must be sustained, and how that can be done in a more cost effective manner.

*Question.* Do you envision further enlargement of NATO within the next 5 years?

Answer. I agree with the President's statement that NATO enlargement should continue so long as new candidates are democratic, peaceful, and willing to contribute to common security. Which countries would be candidates for further engagement and within what timeframe NATO would undertake further enlargement are important questions the administration would need to address in close consultation with Congress and our allies. Each NATO aspirant should be judged on its individual merits and progress in implementing political, economic, and military reforms.

*Question.* In your view, what should the United States do to ensure that NATO has the resources and capabilities necessary to carry out its missions in Afghanistan and elsewhere?

Answer. As Secretary Panetta has made clear, our NATO allies need to do more for security despite the financial crisis. Europe should not expect the United States to shoulder a disproportionate share of the burden.

In my view, the United States should continue to encourage our European allies to reinvest the savings in operational costs that will result from transition in Afghanistan in 2014 into the defense capabilities that NATO will need in 2020 and beyond. We should also continue to encourage Europe to pool defense resources and share capabilities in order to get the most from scarce defense resources. In addition, the United States should continue to place emphasis on combined training, exercises, and military cooperation, as well as on new capabilities, such as missile defense.

In my view, the United States should sustain a central role in NATO, and help the Alliance prepare for 21st century challenges. This includes, for example, the allocation of a U.S.-based brigade to the NATO Response Force, and the rotation of U.S.-based units to Europe for training and exercises with NATO counterparts to ensure strong links and interoperability. It should also include continued European Phased Adaptive Approach efforts—the United States has already established a radar system in Turkey, we will be stationing SM–3 defensive interceptor missiles in Romania and Poland, and we will be forward-deploying four BMD-capable ships to Rota, Spain in fiscal year 2014. As additional examples, I believe that we should continue as the framework nation of the NATO Special Operations Forces Headquarters; and in Poland, we should move forward with plans to create an aviation detachment for enhanced training.

*Question.* In your view, should NATO consider an expanded role for Israel within the organization?

Answer. Israel is an active and valued partner of NATO through the Alliance's "Mediterranean Dialogue" program, which includes practical cooperation as well as political dialogue, both bilaterally with NATO and multilaterally including the other six Partners in the Mediterranean Dialogue. The United States supports and encourages this partnership, and encourages other allies and partners to do so as well. The Mediterranean Dialogue includes an "Individual Cooperation Program," developed between NATO and Israel, which outlines Israeli desires for engagement with NATO.

RUSSIA

*Question.* What is your assessment of the current U.S.-Russian security relationship?

Answer. In September 2010, then-Secretary Gates and Russian Minister of Defense Serdyukov advanced the U.S.-Russia defense relationship by establishing the Defense Relations Working Group (DRWG). Through the DRWG and its eight subworking groups, we engage with the Russian Ministry of Defense across a wide spectrum of cooperative defense activities—missile defense, defense technology, social welfare, training and education, as well as regional and global security, and defense policy. These efforts have helped us gain important insights into one another's defense establishments. Reciprocity is a key element of our engagement. Our defense relationship and our military-to-military activities are focused in part on help-

ing Russia's efforts to reform its Armed Forces. We are not enhancing the combat capabilities of the Russian Armed Forces, but we believe strongly that a reformed Russian military is a positive goal worth pursuing.

Cooperative Threat Reduction (CTR) cooperation continues to be a steady component of the U.S.-Russian relationship that has remained largely insulated from the broader peaks and troughs. Although the international agreement that governs our CTR cooperation with Russia (i.e., the CTR "Umbrella Agreement") is due to expire in June 2013, we look forward to an extension of that key agreement and a continuation of our work with Russia.

*Question.* What do you believe are appropriate objectives for U.S.-Russian security relations, and what do you believe are the areas of common interest between the United States and Russia in the security sphere?

Answer. The United States and Russia should be able to cooperate effectively in the many areas for which we share common interests, and communicate effectively in areas where we have competing interests, and negotiate reasonably in areas where we have overlapping interests.

Among the most important areas where the United States and Russia have common interests is in countering the proliferation of weapons of mass destruction, particularly nuclear weapons. We have had significant cooperation on Iran. The Russians cancelled a major weapons sale worth several hundred million dollars to Iran in 2010 and supported UNSCR 1929, which imposed international sanctions on Iran's ballistic missile and nuclear programs. I believe that the United States should continue to actively seek Russian support for ensuring that Iran does not develop nuclear weapons. Similarly, Russia is a key player in reversing North Korea's nuclear and missile programs, and shares common interests in this regard. As a third key example, the Cooperative Threat Reduction Program has been and continues to be one of the most successful cooperation programs in the U.S.-Russia relationship. Finally, the United States and Russia share strong interests in reducing the likelihood of nuclear war, as reflected in the New START treaty, and prior treaties.

Russia also has an interest in stability in Afghanistan. Our efforts in Afghanistan have benefited greatly from improved security relations with Russia. The Northern Distribution Network has been critical to continued operations given the closure of our Pakistan ground lines of communication. Russia allows our military personnel, supplies, and equipment to transit its territory by both air and rail and will soon allow for reverse transit of wheeled armored vehicles from Afghanistan. Russia has also been forward-leaning in identifying possible areas of cooperation on counter-narcotics, and we have been engaging Russia to develop these ideas.

The United States and Russia are two of many countries working together off the Horn of Africa to address the threat of piracy. Although Russia does not participate in ongoing multilateral counter-piracy operations, it does share important information and work cooperatively with NATO and EU operations.

*Question.* In your view what policy steps should DOD take to improve relations with Russia? For instance, would you support increased military to military relations and exchanges with Russia?

Answer. DOD has been a proponent and a beneficiary of the reset with Russia. The OSD–MOD Defense Relations Working Group and the Joint Staff-General Staff Military Cooperation Working Group revived U.S.-Russia defense and military relations from the low-point after the Russo-Georgia War.

As a result, DOD has a robust military-to-military work plan and are constantly looking for ways to improve it by ensuring that our cooperation with Russia serves U.S. and Russian interests and contributes to greater security in the Euro-Atlantic space. The 2012 Military Cooperation Work Plan includes more than 100 events and comprises a variety of quality activities such as cadet exchanges, exercises, senior leader visits, and conferences. Over time, cooperation on a wide range of issues may help to build a foundation for more concrete and substantive cooperation with Russia.

A U.S.-Russia agreement to cooperate on missile defense would remove a major irritant from the relationship, would send a strong signal to Iran that development of long-range ballistic missiles and nuclear weapons would be a waste of resources, would add to the effectiveness of our missile defense system, and could help re-cast perceptions U.S–Russia relations on both sides.

*Question.* Would you support any joint development or other programs with Russia?

Answer. If confirmed, I would be interested in supporting joint programs that would benefit the United States. Through the Defense Technology Cooperation Sub-Working under the Defense Relations Working Group, DOD has been looking for such opportunities. Before undertaking any joint programs, the United States and

Russia would need to conclude a Defense Technology Cooperation Agreement, which has been in negotiation for some time.

*Question.* Would you support joint U.S.-Russian cooperation on missile defense as a way to send a powerful signal to Iran against Iran's developing long-range missiles or having nuclear weapons?

Answer. I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO missile defenses, thereby improving the protection of the United States, our forces overseas, and our allies. Missile defense cooperation with Russia is in the security interests of the United States, NATO, and Russia, first and foremost because it could strengthen capabilities across Europe to intercept Iranian ballistic missiles.

In addition, I believe that U.S.-Russia and NATO–Russia cooperation on missile defense. Such cooperation would contribute to the growing strong signals to Iran—including those sent by U.S. and international sanctions and diplomacy—that Iran's development of missiles and pursuit of nuclear capabilities is reducing rather than enhancing Iranian security.

*Question.* Do you support efforts mandated by the New START Treaty Resolution of Ratification to seek reductions in the stockpiles of Russian and U.S. tactical nuclear weapons?

Answer. Yes. As I stated in my November 2, 2011, testimony, I believe that any future discussions with Russia should include tactical nuclear weapons, as reflected in the certification and reporting done pursuant to the resolution of advice and consent to ratification for the New START treaty. Discussions regarding reductions in the total number of nuclear weapons, both deployed and non-deployed, are also needed. In any future reductions our aim should be to seek the relocation of Russian non-strategic nuclear weapons away from the territory of NATO members.

*Question.* If so, what steps would you recommend for pursuing such reductions, if confirmed?

Answer. The first step for the United States to determine appropriate next steps is to complete the ongoing Nuclear Posture Review Implementation Study. As this work approaches completion, consultation with Congress will be essential to inform congressional deliberations on budget and policy issues and to sustain bipartisan support for any arms control proposals in the future. Consultation with allies and partners will be essential to ensure that extended deterrence and assurance remain strong. Finally, the administration must work with Congress to ensure that key capabilities to support the U.S. nuclear deterrent are funded adequately.

CHINA

*Question.* China's defense spending has had double-digit increases annually for about the past 20 years. While a certain amount of military growth is to be expected for a country experiencing the kind of economic growth that China has had over about that same period, the types of platforms and capabilities China is developing have been interpreted by some as designed to project power, limit freedom of movement by potential adversaries, and conduct military operations at increasing distances. Such developments, coupled with strident rhetoric and a lack of transparency, stoke growing concerns about China's intentions in the region.

How would you characterize the current U.S. relationship with China?

Answer. The senior-most leaders of our two countries have consistently affirmed the need for a positive, cooperative, and comprehensive U.S.-China relationship. I would describe the relationship as simultaneously possessing elements of cooperation and competition. The United States, including DOD, continues to pursue opportunities to cooperate where there is a mutual benefit, while pursuing frank discussions in areas where we may have differences.

*Question.* To what extent do you believe the policies and actions of the United States and other major regional and international actors will affect the direction in which China develops?

Answer. As Secretary of State Clinton noted in her March 7, 2012 speech at the United States Institute of Peace, the United States is attempting to work with China to foster its rise as an active contributor to global security, stability and prosperity while also sustaining and securing American leadership in a changing world. The United States is trying to do this without entering into unhealthy competition, rivalry, or conflict, and without falling short on our responsibilities to the international community. We need to work with China to build a model in which we strike a stable and mutually acceptable balance between cooperation and competition.

*Question.* What do you believe are the objectives of China's steady increase in defense spending and its overall military modernization program?

Answer. China appears to be building the capability to fight and win short-duration, high-intensity conflicts along its periphery, and also to counter intervention by third parties. Its near-term focus appears to be on preparing for potential contingencies involving Taiwan, and deterring or denying effective intervention in a cross-Strait conflict. Its modernization efforts emphasize anti-access and area denial capabilities. China is also devoting increasing attention and resources to conducting operations beyond Taiwan and China's immediate periphery. China's growing focus on military missions other than war includes humanitarian assistance, non-combat evacuation operations, and counter-piracy support. Lastly, China is strengthening its nuclear deterrent and enhancing its strategic strike capabilities through the modernization of its nuclear forces, and is improving other strategic capabilities, such as in space, counter-space, and computer network operations.

*Question.* How should the United States respond to this Chinese military growth and modernization?

Answer. I believe the United States should continue to monitor developments in China's military concepts and capabilities, while encouraging Beijing to be more transparent about its military and security affairs. The United States has been and should remain the pivotal military power in the Asia-Pacific region in order to preserve the conditions that have fostered peace and prosperity. The U.S. response to China's military modernization should be flexible and supported by the continued transformation of our force posture in the Asia-Pacific region, the maintenance of our global presence and access, the modernization of our own capabilities in such areas as countering anti-access and area denial, and the strengthening of our alliances and partnerships.

*Question.* What effect is China's military growth having on other countries in the region?

Answer. The pace and scale of China's military modernization, coupled with the lack of transparency, raise many questions, both within the United States and in the region as a whole, about China's future. Uncertainty about China's military growth and intentions has led to concerns about regional destabilization, leading other regional countries to intensify their outreach to diverse major power partners. As a result, we have seen the region become more welcoming of the United States as a security partner of choice. In addition, some nations have begun increasing their own military acquisitions, and on the diplomatic front, concerns about the regional military balance have been instrumental to the success of multilateral architecture based on the Association of Southeast Asian Nations (ASEAN).

*Question.* What is your assessment of the current state of U.S.-China military-to-military relations?

Answer. As Secretary of Defense Panetta and China's Vice President Xi affirmed in February, a healthy, stable, and reliable military-to-military relationship is an essential part of President Obama's and President Hu's shared vision for building a cooperative partnership.

I believe we should continue to use military engagement with China as one of several means to demonstrate U.S. commitment to the security of the Asia-Pacific region, to encourage China to play a constructive role in the region to discuss the peacetime interaction of our respective military forces so as to minimize the risk of accidents, and to press China to partner with the United States and our Asian allies and partners in addressing common security challenges.

*Question.* Do you believe that the United States should make any changes in the quality or quantity of our military relations with China? If so, what changes and why?

Answer. I believe that military exchanges with China can be valuable, but can only truly work if China is equally committed to open and regular exchanges. If confirmed, I would look for ways to deepen and enhance our military-to-military relationship with China, and to encourage China to act responsibly both regionally and globally.

*Question.* By most accounts, China has become more assertive in its claims of sovereignty in various domains, including maritime, air and space. There are numerous examples of this assertiveness, but one in particular is China's increased aggressiveness in asserting its excessive maritime claims in the South China Sea.

What role should the United States play in the ongoing maritime disputes in the South China Sea?

Answer. The United States is a Pacific nation with a national interest in freedom of navigation and overflight, open access to Asia's maritime domain, the maintenance of peace and stability, free and open commerce, and respect for international law, including in the South China Sea.

In my view, the United States should not take a position on the competing territorial claims over land features in the South China Sea; all parties should resolve

their disputes through peaceful means and in accordance with international law, without resorting to the threat or use of force.

The United States should continue to call upon all parties to clarify their claims in the South China Sea in terms consistent with international law. Accordingly, claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features.

*Question.* How does the presence of the U.S. Navy in the South China Sea influence this maritime dispute and, in your view, would an increase in U.S. activity in that region serve to stabilize or destabilize the situation?

Answer. The U.S. Navy is a key provider of the military presence that underlies peace and stability across the globe, including in the South China Sea. I believe it is essential for the U.S. Navy to maintain its presence and assert our freedom of navigation and overflight rights in the South China Sea in accordance with customary international law.

Preservation of the rights, freedoms, and uses of the sea depend largely upon their continual exercise. Around the world, U.S. military forces conduct operations to challenge excessive maritime claims asserted by coastal States. In the South China Sea, we have expressed our desire for respect for freedom of navigation and overflight for many decades, through operational assertions against excessive maritime claims asserted by several nations. Of note, we challenge excessive maritime claims asserted by any nation, including excessive claims by allies and partners.

*Question.* Cyber space has become a critical realm for civilian and military applications and, as a result, it represents a potentially substantial vulnerability. There are reports that China is aggressively pursuing cyber warfare capabilities, and would likely seek to take advantage of U.S. dependence on cyber space in the event of a potential conflict situation.

If confirmed, what would you do to help ensure our military is protected in cyber space and prepared to defend against a cyber attack?

Answer. If confirmed, I would work with other parts of DOD and the U.S. Government, including the Departments of State, Homeland Security, and Commerce, to facilitate a coordinated approach to cyber threats, not only from China, but from others as well. We must work together as governments not only to defend, but also to develop options to respond to and impose costs on cyber threat actors so as to deter future exploitation and attack. The President stated in his International Strategy for Cyberspace that the United States Reserves the right to use all necessary means—diplomatic, informational, military, and economic—as appropriate and consistent with applicable international law—in order to defend our Nation, our allies, our partners, and our interests against hostile acts on cyberspace. In my view, we should continue to prepare to do so as necessary, while continuing to strengthen international norms of behavior regarding this essential area.

*Question.* In January 2007, China used a ground-based missile to hit and destroy one of its weather satellites in an anti-satellite test creating considerable space debris and raising serious concerns in the international community. Since then, China has continued its active pursuit of missile and satellite technology.

What is your view of China's purposes for its pursuit of these capabilities?

Answer. In my view, this test was one aspect of a multidimensional program that China has underway for counter-space activities. Counter-space, and anti-satellite weapons, likewise are one element of a comprehensive military modernization program underway in China that includes an emphasis on developing and fielding disruptive military technologies, including those for anti-access/area-denial, as well as for nuclear, space, and cyber warfare. The United States' goal should remain to promote the responsible use of space.

*Question.* What do you see as the long term implications of such developments for the U.S. military, for U.S. national security, and for U.S. interests in space?

Answer. Space systems are vital to our national security and our economy. In this regard, the United States should continue to seek ways to protect our interests in space. U.S. space policies and programs should be informed by China's space and counter-space capabilities, which along with activities of other states, have contributed to today's challenging space environment. Our first line of defense should be to deter actions that threaten our space architecture (including through defensive measures as well as credible response options), but should deterrence fail, we must possess alternatives to retain effective operations, albeit in a degraded environment.

The United States should continue to seek to engage China, a major space-faring nation, to promote the responsible use of space. However, our concern should not be focused on only one country, but on the range of actors that add to the increasingly congested, contested, and competitive environment in space.

NORTH KOREA

*Question.* Despite the recent death of long-time leader Kim Jong-il, North Korea remains one of the greatest near term challenges to security and stability in Asia and deterring conflict on the Korean Peninsula remains a top priority. In fact, with the uncertainties associated with the ongoing leadership transition, upcoming challenges on the Peninsula may be even greater.

With the precipitous change in leadership in North Korea, what is your assessment of the current security situation on the Korean peninsula?

Answer. North Korea's provocative behavior, large conventional military, proliferation activities, and pursuit of asymmetric advantages through its ballistic missile and weapons of mass destruction (WMD) programs, including uranium enrichment, present a serious threat to the United States, its allies and partners in the region, and the international community. The opaque nature of the North Korean system, coupled with an uncertain political transition, add to our concerns. The two North Korean attacks on South Korean forces in 2010 provide a sober reminder that Pyongyang is willing to utilize its capabilities to undertake provocative actions. I believe the United States must work with our allies and other key partners in the region and internationally on diplomatic solutions to the range of pressing concerns we face with North Korea. Under the appropriate conditions, direct diplomatic engagement with North Korea is important as well.

*Question.* What is your understanding of the threats posed to the United States and our allies by North Korea's ballistic missile and WMD capabilities?

Answer. North Korea's missile and WMD programs pose a direct and serious threat to our regional allies and partners, and have the potential to become a direct threat to U.S. territory. As we witnessed in 2006 and 2009, North Korea continues to flight-test theater ballistic missiles, demonstrating the capability to target South Korea and Japan. North Korea also continues to develop the Taepo Dong-2 (TD–2), which Pyongyang claims to have tested in a space launch configuration but could also reach the United States if developed as an intercontinental ballistic missile (ICBM).

The United States must continue to monitor carefully North Korea's WMD and missile development programs and related proliferation activities. If confirmed, I would work to ensure that DOD continues to work closely with other parts of the U.S. Government to address these and other emerging threats, to reduce our vulnerabilities and those of our allies and partners, and to work cooperatively with our allies to ensure our contingency planning remains adaptive and responsive.

*Question.* What concerns you most about North Korea and, if confirmed, what would you do to address those concerns?

Answer. North Korea maintains a large, offensively postured conventional military, continues to develop long-range ballistic missiles, seeks to develop nuclear weapons, and engages in the proliferation of ballistic missiles contrary to international norms and U.N. Security Council resolutions. North Korea has also conducted provocative attacks against the Republic of Korea. What concerns me most is that this range of threats comes from a single State standing on the outside of the international community. If confirmed, I will ensure that we sustain and advance our military readiness and coordination with allies and partners, and explore all avenues for shaping North Korean behavior.

REPUBLIC OF KOREA

*Question.* What is your understanding of the current status of the U.S.-South Korean security relationship?

Answer. In my view, the U.S.-ROK Alliance remains one of the cornerstones of U.S. strategy in the Asia-Pacific region and is as strong and viable today as it has ever been. This was most recently reaffirmed by the Secretary of Defense to his counterpart at the October 28, 2011 U.S.-ROK Security Consultative Meeting in Seoul. Our security relationship is based on a mutual commitment to common interests, shared values, continuous dialogue, and combined planning, all of which ensure a comprehensive strategic Alliance.

*Question.* If confirmed, what measures, if any, would you take to improve this security relationship?

Answer. If confirmed, I would support the ongoing realignment of U.S. forces on the Peninsula and the preparation for the transition of wartime operational control to the ROK by December 2015. Also, I believe it is important to ensure that the U.S. and Korean public continue to understand the enduring mutual benefits derived from this Alliance. Conversely, the public should also recognize that the ROK is playing an increasing role in regional and global security issues, commensurate with its economic status and influence, and the scope of the Alliance is extending

beyond the Peninsula. In light of the heightened possibility of North Korean provocations, if confirmed, I will ensure that we maintain constant communication and coordination with the ROK senior leadership so that we can effectively deter North Korea, and respond effectively and appropriately to any situation that threatens the security of the Korean Peninsula.

*Question.* What is your view regarding the timing of the transfer of wartime operational control from the United States to South Korea, now planned for December 2015, and what will you do to ensure this transition takes place as planned?

Answer. The United States and the ROK have a comprehensive way forward to transition wartime operational control from the ROK–U.S. Combined Forces Command to the ROK Joint Chiefs of Staff by December 2015. If confirmed, I will work with my ROK counterpart, and with others in the U.S. and ROK Governments, to complete this process under the Strategic Alliance 2015 framework and ensure that the combined defense posture remains strong and seamless throughout the transition process.

*Question.* Do you support increasing the tour lengths of U.S. personnel assigned to the Republic of Korea to 2- or 3-year tours of duty and increasing the number of military and civilian personnel authorized to be accompanied by their dependents for these longer assignments?

Answer. I agree that a change in personnel policies related to tour lengths could help improve the readiness of U.S. Forces Korea (USFK) by reducing the effects of constant turn-over of personnel. At this time, however, DOD has not yet identified an affordable plan for full implementation of tour normalization, and I understand that USFK is holding at the currently authorized 4,645 Command Sponsored Families. If confirmed, I look forward to continuing to consider alternative options for the future.

*Question.* If so, how would you purport to implement such an increase in accompanied tours?

Answer. If confirmed, I will ensure that DOD continues to examine how tour length extensions and unit rotations can enhance readiness.

*Question.* Do you believe that the security relationship with South Korea should remain focused on defense of the Korean Peninsula, or should U.S. forces stationed in Korea be available for regional or global deployments?

Answer. In accordance with the Mutual Defense Treaty between the two countries, the U.S. presence on the Korean Peninsula serves to deter potential aggressors from taking hostile actions that would threaten the peace and security of ROK. In my view, this presence has not only deterred further war on the Korean Peninsula, but has also contributed to the stability of the Northeast Asian region. It is my understanding that the principles of Force Management, decided at the 2010 U.S.-ROK Security Consultative Meeting, provide greater flexibility for regional and global deployments for U.S. forces in Korea, while ensuring that we will continue to meet our commitments to the safety and security of Korea. As ROK military forces continue to serve with the U.S. military in places off the Peninsula (e.g., Iraq, Afghanistan, and in the Gulf of Aden), I believe the U.S.-ROK Alliance will continue to serve an important role regionally and globally.

*Question.* What is your assessment of the security benefits of the force repositioning agreed to under the Land Partnership Plan and the Yongsan Relocation Plan and how does repositioning U.S. forces change the way they will operate on the Korean Peninsula?

Answer. The two plans work to consolidate and relocate U.S. forces from north of Seoul and from the Seoul Metropolitan area to locations south of Seoul, primarily U.S. Army Garrison Humphreys and Daegu. I assess that the movement of units and facilities to areas south of the Han River provides efficiencies, reduces costs, contributes to the political sustainability of our forward presence, and improves force protection and survivability by placing the majority of personnel and equipment outside of the tactical effective range of North Korean artillery. The two plans will reduce the number of U.S. camps and stations from 107 to 48. Thirty-three sites have been returned to the ROK, with 26 remaining to be returned.

*Question.* Since the North Korean attacks last year—the sinking of the South Korea Navy ship CHEONAN and the artillery attack on the South Korean island—South Korea has been adamant that it will responded "firmly" to the next such provocation. A main topic during recent U.S.-ROK Security Consultative Meetings was reportedly the Joint Operational Plan for responding to future North Korean provocations.

What is your understanding of the U.S. obligations in the event of an attack on South Korea by North Korea, and under what circumstances do you believe the U.S. armed forces should be committed to engage North Korean forces in response to an attack on South Korea?

Answer. My understanding is that, under the Mutual Defense Treaty, when the political independence or security of the ROK or the United States is threatened by external armed attack, the United States and the ROK will consult together and develop appropriate means to deter the attack. Given the pattern and future likelihood of North Korean provocations, the two sides should continue to consult closely so that responses are effective.

JAPAN

*Question.* How would you characterize the U.S.-Japan security relationship?

Answer. The U.S.-Japan relationship is the cornerstone of security in East Asia. Japan is a valued ally and anchor of democracy and prosperity in the region. Our Alliance has held fast through the turbulence of the post-Cold War, political turnover in Japan, and at times contentious trade disputes, and now stands poised as a truly global Alliance. The United States and Japan are in the middle of a complicated realignment process that is part of a larger Alliance Transformation agenda that also includes a review of roles, missions, and capabilities to strengthen and ensure the relevance, capability, and cohesiveness of the Alliance for the next several decades. In terms of our military-to-military relationship, the shared experience of U.S. and Japanese forces, working should-to-shoulder in response to the earthquake, tsunami and nuclear crisis of last spring, validated our continuing close cooperation and mutual respect.

*Question.* How does Japan's relationship with its regional neighbors, mainly China, North Korea and South Korea influence the U.S.-Japan relationship?

Answer. I believe it is important for Japan to continue to maintain and further develop constructive relations with all of its neighbors. Japan and other East Asian nations can and should increase their security cooperation. Working with other U.S. allies and partners in the region, Japan can increase its contribution to peace, security, and prosperity throughout Asia and globally. Japan is a valued and essential partner in the Six-Party Talks process and in other important regional security architectures. Progress made to bolster trilateral security dialogues in Northeast Asia effectively links Japanese, U.S., and ROK approaches.

*Question.* What steps, if any, do you believe Japan ought to take to become a more active partner in security activities with the United States and in the international security arena?

Answer. Japan is already a close ally and strong security partner with the United States, and is increasingly contributing to international security activities; however, the changing security environment in Asia will present new challenges. The United States needs to continue to work with Japan to deal with these challenges, including greater interoperability between our armed forces at the strategic, operational, and tactical levels. If confirmed, I would encourage Japan's development of joint doctrine and organizations that will enhance Japan's ability to undertake complex missions to build security in East Asia. I would also encourage trilateral security cooperation with the United States, Japan and both the ROK and Australia, as these kinds of activities effectively strengthen the functional capacity of the emerging regional security architecture. Regarding international security activity, Japan has actively participated in combined counter-piracy operations in the Gulf of Aden, is participating in the United Nations Mission in South Sudan, and has been a significant donor to ongoing Afghanistan reconstruction. I believe participation in such international security operations are very positive developments, and would encourage future Japanese participation in such missions.

*Question.* What is your view of the United States-Japanese joint development of the Standard Missile-3, Block IIA missile defense interceptor, and of the overall program of cooperation between the United States and Japan on ballistic missile defense?

Answer. Ballistic missile defense cooperation with Japan is a success story for the Alliance and has resulted in Japan's fielding of both sea and land-based missile defense systems. Japan is one of our most important ballistic missile defense partners, and U.S.-Japan bilateral cooperation on ballistic missile defense plays an important role in supporting our common strategic objectives on defense. The SM–3 Block IIA is an important cooperative program that will result in a significant increase in ballistic missile defense capability.

*Question.* Currently, the 2006 Roadmap Agreement between the United States and Japan links the closure of the Futenma Marine Corps Air Station on Okinawa and the movement of U.S. Marines from Okinawa to Guam to the plan to build a Futenma Replacement Facility (FRF) at Camp Schwab on Okinawa. In February, the United States and Japan announced their intention to delink the movement of

marines from the plan to build the FRF. It also appears that, while the number of Marines leaving Okinawa will not change, fewer will be relocated to Guam.

What is your understanding of the current plans for U.S. military forces on Okinawa and Guam?

Answer. Plans for U.S. military forces on Okinawa and Guam should result in a force posture that is geographically distributed, operationally resilient, and politically sustainable. A significant number of U.S. Marine Corps forces will move from Okinawa to Guam, which is a strategic hub that supports our ability to operate forces from a forward location. At the same time, we will maintain forces in Okinawa to provide deterrence and rapidly respond to security challenges in areas around Japan.

Although planned posture shifts will result in a rebalancing of our forces, they will not negatively affect our ability to respond to contingencies or meet treaty obligations in Asia. They demonstrate our commitment to allies and to fulfilling our agreements with Allies and partners.

*Question.* How does delinking the movement of marines off Okinawa from the construction of the FRF impact the realignment of marines in Northeast Asia?

Answer. Delinking the movement of U.S. marines off Okinawa will allow the United States to push forward with the realignment of the Marine Corps in Northeast Asia, which is in our strategic interests as we seek to rebalance toward the Asia-Pacific. Specifically, delinkage will allow the United States to establish a force posture that is geographically distributed, operationally resilient, and politically sustainable.

The United States and Japan remain committed to constructing the FRF as the only viable alternative to Marine Corps Air Station (MCAS) Futenma, and are working together in taking the next step prior to the start of construction: securing the Governor's approval for the landfill permit.

*Question.* What is your opinion of the prospects for the successful construction of the Futenma Replacement Facility at Camp Schwab on Okinawa?

Answer. I believe that the Government of Japan (GOJ), like the U.S. Government, remains committed to the principles of the 2006 Realignment Roadmap, and although both governments have acknowledged that the Futenma Replacement Facility will not be constructed by 2014, as originally planned, there appears to be incremental but positive movement towards the construction of a replacement facility at Camp Schwab. The GOJ submission of the environmental impact statement to the prefectural government of Okinawa in December 2011 was a necessary and politically significant step forward. The U.S. Government is committed to working with the GOJ in taking the next step prior to the start of construction: securing the Governor's approval for the landfill permit.

*Question.* If confirmed, how would you work with the Commander, Pacific Command (PACOM), and the Military Services to update U.S. military force posture in Japan and the Pacific Theater?

Answer. If confirmed, I would engage frequently and proactively with the Commander, PACOM, and the Military Departments, as well as the Chairman and Vice Chairman of the Joint Chiefs of Staff, to update U.S. force posture in Japan and the Pacific. I firmly believe that maintaining a strong and comprehensive relationship with my military counterparts is essential to creating a military force posture that makes sense both strategically and operationally.

INDIA

*Question.* What is your view of the current state of the U.S.-India security relations?

Answer. Today, U.S.-India defense ties are strong and growing, including a robust slate of dialogues, military exercises, defense trade, personnel exchanges, and armaments cooperation. The strong ties between our two militaries reflect this. Over the past decade, there has been a rapid transformation in the U.S.-India defense relationship. What was once a nascent relationship between unfamiliar nations has evolved into a strategic partnership between two of the preeminent security powers in Asia.

In February I travelled to India to co-chair the annual U.S.-India Defense Policy Group meeting. My trip reaffirmed my view that a close, continuing, and expanding security relationship between the United States and India will be important for security and stability in Asia and for effectively managing Indian Ocean security in the twenty-first century. Having said this, India has a long history of non-alignment and is firmly committed to its policy of strategic autonomy. The continued growth of our partnership should be focused on working closely on common interests in a true partnership.

*Question.* If confirmed, what specific priorities would you establish for this relationship?

Answer. If confirmed, I believe our priorities for this relationship should focus on increasing maritime security cooperation, expanding the military-to-military relationship, and deepening cooperation on defense trade, including cooperative research and development. There is potential for increased cooperation on counterproliferation, collaboration on humanitarian assistance and disaster response, countering piracy, cooperation on counterterrorism, greater intelligence sharing on common threats, and working towards stability in Afghanistan and the broader Indian Ocean region.

*Question.* What is your assessment of the current relationship between India and Pakistan?

Answer. India and Pakistan have a long and complex history characterized by animosity, mistrust, and conflict. Support by elements of Pakistan's military and intelligence services for violent extremist organizations targeting India has the potential to result in military confrontation that could rapidly escalate to a nuclear exchange.

Current efforts at dialogue through a renewed comprehensive dialogue have yielded few concrete results on the core security issues, especially regarding the resolution of territorial disputes; however, the efforts have increased people-to-people exchanges and trade relations between the two nations, and have provided each side greater insight into the other's positions. Although progress is slow, the trajectory is positive and offers the promise of increased confidence-building measures.

*Question.* In your view, what impact has the ongoing tension between Pakistan and India had on the stability of Central and South Asia generally, and on the prospects for lasting security in Afghanistan?

Answer. India's actions in South and Central Asia generally align with U.S. goals: increasing economic growth and political stability through strengthened democratic institutions, and developmental assistance to help prevent radicalization. Regional stability ultimately depends on cooperation among India, Pakistan, and Afghanistan. Transparency in the India-Afghanistan and Pakistan-Afghanistan bilateral relationships is critical to reduce misunderstanding and mistrust between India and Pakistan. The ongoing transition of lead responsibility for security in Afghanistan to Afghan forces, and the strategic partnerships Afghanistan has been negotiating with the United States and other international partners are important steps toward demonstrating long-term commitment of the international community, addressing conditions that create uncertainty, and stabilizing the region.

REPUBLIC OF THE PHILIPPINES

*Question.* What is your view of the current state of U.S.-Philippine military-to-military relations, including efforts to increase the number of rotational U.S. forces operating from the Philippines?

Answer. The Philippines is one of the United States' five treaty allies in the Pacific and remains a committed security partner facing regional challenges characteristic of current geo-strategic realities. In my view, the Alliance is strong and is the foundation of our security partnership. The U.S. military-to-military engagement with the Philippines is mature and focused, allowing the Philippines security forces (military, coast guard, and police) to address security needs more effectively as evidenced by enhanced counterterrorism performance, expanded maritime security activities, increased multilateral engagement, and effective participation in U.N. peacekeeping operations.

*Question.* What do you believe the U.S. goals should be in the Republic of the Philippines and how best can we achieve those goals?

Answer. The primary goal of the United States should be to strengthen the Alliance and assist the Philippines in building and maintaining the capabilities of their security forces. Our Alliances in the Pacific, including with the Philippines, are the bedrock of U.S. security strategy within the region as we face common threats. A Philippines that is capable of mitigating terrorist threats, providing a secure maritime environment that ensures freedom of navigation within its subregion, and leading multilateral approaches towards regional peace and stability will enable it to fulfill its treaty obligations to the United States, directly benefit U.S. interests in the Asia-Pacific region, and contribute to regional security and stability.

*Question.* What is your assessment of recent U.S. military efforts in the Philippines and the effectiveness of the U.S. assistance being provided to the Philippine military in its fight against insurgent groups?

Answer. U.S. military efforts and assistance in the Philippines are in support of the U.S.-Philippines Mutual Defense Treaty to which both sides are committed. The United States, however, does not assist the Philippines in its fight against insurgent

groups (e.g., the New People's Army and the Moro Islamic Liberation Front). The Philippines was the first country in Asia to support the United States after September 11 in fighting terrorism. In this regard, U.S. military assistance is focused on helping the Philippines fight terrorism by assisting with the development of skill sets that are no different than those needed to help and protect its civilian population. It is the Philippine Government's prerogative to assert its capabilities and resources where needed in conducting its internal security operations.

*Question.* Do you anticipate a reduced or increased U.S. military footprint or change in mission for U.S. military forces in the Philippines in the near to mid-term?

Answer. The United States and the Philippines are discussing arrangements that would allow greater flexibility for U.S. and Philippine security forces to train and work together. This may increase U.S. military engagement with the Philippines in the near to mid-term.

INDONESIA

*Question.* What is your view of the current state of military-to-military relations with Indonesia and, specifically, Kopassus?

Answer. In 2010, Presidents Obama and Yudhoyono inaugurated the U.S.-Indonesian Comprehensive Partnership. A key element of this broad partnership is the security component. Our defense relationship with Indonesia—a pivotal country to U.S. national interests—is managed through the Defense Framework Arrangement and facilitated through several forums and mechanisms. Our military-to-military relations with Indonesia are robust and continue to progress and mature, with nearly 200 theater security cooperation activities scheduled for this fiscal year. These security cooperation engagements include a wide range of activities focused on four main areas of emphasis: Humanitarian Assistance/Disaster Relief, Peace Keeping Operations, Maritime Security, and continued Professionalization/Reform of the Indonesian Defense Forces (TNI). Beginning with the normalization of the military-to-military relationship in 2005, engagements have increased in number and evolved from initial small-scale bilateral exchanges into more complex bilateral and multilateral activities.

In addressing the current state of military-to-military relations with the Indonesian Army Special Forces (Kopassus), it is worth noting that this unit has undergone a near-complete transformation over the past decade and is at the forefront of TNI professionalization and adherence to human rights standards. Following a 12-year hiatus in bilateral activities, at the direction of then-Secretary Gates, PACOM established a measured and gradual program of security cooperation activities with Kopassus. These security cooperation activities have consisted of key leader engagements and small-scale subject matter expert exchanges in areas such as military decision making, medical planning, law of war, and safeguarding human rights. I anticipate that these types of activities will continue and gradually expand at a pace commensurate with the demonstrated progress in TNI transparency and reform efforts. Chief among these reform efforts are the fulfillment of commitments made by Indonesian leaders to DOD in 2010 to continue to safeguard human rights and accountability throughout the Indonesian military through the unequivocal investigation and prosecution of those military personnel accused of human rights abuses and, if convicted, their removal from military service.

*Question.* Do you favor increased U.S.-Indonesian military-to-military contacts? If so, under what conditions? Why?

Answer. If confirmed, I would support increased military-to-military contact within the context of the Comprehensive Partnership, guided by close consultation between the Departments of State and Defense, and within the boundaries of existing legal mechanisms. I believe close military-to-military relations with Indonesia are integral to achieving numerous stated U.S. national interests in the region. I also believe that one of the most effective methods for encouraging reform is through interaction between Indonesian and U.S. servicemembers. Interactions with U.S. servicemembers reinforce professional military practices, including respect for human rights and the rule of law. Increased interactions facilitate greater understanding and reinforce professional values.

*Question.* What is your understanding of the factors that informed the decision to re-engage with Kopassus members?

Answer. It is my understanding that the decision to begin a measured and gradual re-engagement with Kopassus within the limits of U.S. law was intended to acknowledge the significant progress made by the TNI over the past decade and to encourage continued reform within the TNI. Essential to this decision to move

ahead with engagement with Kopassus were the commitments made by the Government of Indonesia to protect human rights and advance TNI accountability.

*Question.* What is your view of the commitment of the Indonesian military leadership to professionalization of its armed forces, adhering to human rights standards, improving military justice, and cooperating with law enforcement efforts to investigate and prosecute those military personnel accused of human rights abuses?

Answer. Indonesian defense reform progressed at a rapid pace after the resignation of President Suharto in 1998, and with the separation of the police from the military, the elimination of formal political roles for the TNI, increased accountability, and the establishment of widespread human rights training initiatives. Although reform efforts appear to have slowed, they have notably not reversed. According to several public opinion polls, the TNI enjoys the respect of the majority of the Indonesian populace. In fact, the TNI often is noted to be the most respected of government institutions. This is a concrete indicator of progress. Continued reforms that the United States should continue to encourage include accountability for past human rights abuses, strengthening civilian control and oversight of the military, and continued professionalism of the TNI officer corps. Fully normalized relations with Kopassus will not happen without demonstrated Indonesian commitment to holding human rights abusers accountable.

*Question.* If confirmed, what would you do to encourage respect for human rights and accountability in the Indonesian military?

Answer. If confirmed, I would support the TNI's continued progress by encouraging senior Indonesian leaders to fulfill their stated commitments, with particular emphasis on accountability, transparency, and respect for human rights. We can advance this agenda through bilateral security discussions, joint training, and military assistance, including military training programs. I view U.S. interaction with TNI counterparts as an effective, indeed essential, method to encourage professionalism and continued reform within the Indonesian military.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

*Question.* The United Nations Convention on the Law of the Sea (UNCLOS) is currently pending in the Senate.

What are your views on U.S. accession to UNCLOS?

Answer. I strongly support U.S. accession to the 1982 Law of the Sea Convention.

*Question.* From a national security standpoint, what do you see as the advantages and disadvantages to being a party to UNCLOS?

Answer. The advantages of U.S. accession are numerous. As a treaty party, the United States can best protect the navigational freedoms enshrined in the Convention and exert the level of influence that reflects our status as the world's foremost maritime power.

I do not believe that there are any serious national security disadvantages to the United States becoming a treaty party.

*Question.* What is your understanding of the principal arguments against ratifying UNCLOS, and what is your response to those arguments?

Answer. From what I understand, the principal argument against accession is that the United States would somehow surrender a portion of its sovereignty. I do not believe this argument is valid. As a treaty party we can reinforce our navigational freedoms—key to our global power projection capabilities.

PEACEKEEPING OPERATIONS

*Question.* In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, U.S. Ambassador to the U.N., stated that the U.S. "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the U.S. should contribute additional military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. In general, I would support additional contributions of U.S. military personnel to staff officer positions, provided that they are positions that would add significant value to the mission, and that the mission is a strategic priority for the United States.

Support for international peacekeeping remains an important security objective for the U.S. Government, and the United States has a stake in the success of U.N. peacekeeping operations. I believe that, where practicable, the United States should continue to provide military personnel for U.N. peacekeeping operations, especially for key staff positions that can help shape the direction and success of the mission.

If confirmed, I will carefully evaluate any proposals to contribute military or civilian personnel to a U.N. peacekeeping operation, weighing the potential positive impact of U.S. participation in the mission against other military commitments we have around the globe and the proposed cost of U.S. involvement.

*Question.* What are the advantages and disadvantages of contributing additional military personnel to U.N. operations?

Answer. There are several potential advantages to contributing additional military personnel to U.N. missions: the opportunity to shape these missions from the inside and contribute to success of the mission; professional development opportunities for military personnel to serve in a joint, multi-lateral environment; and the benefit of receiving real-time information and insights on emerging threats and crises from places where there might not otherwise be a U.S. presence. It also enables an increased professional interaction by U.S. military personnel with numerous partner nations' military personnel, with whom we may not normally have the opportunity to serve.

The potential disadvantage of providing additional military personnel is the additional demands these assignments would impose on a U.S. military force that has seen extensive deployments in recent years and is still heavily engaged in overseas operations. I do not believe the United States will be in a position to provide significant numbers of military personnel to peacekeeping missions anytime in the near future. However, I believe the selective placement of even modest numbers of U.S. military personnel in addition to the personnel we currently have assigned to U.N. operations can have a significant, positive impact on U.N. peacekeeping operations.

*Question.* If confirmed, would you support identifying methods through which the DOD request for forces system could be more responsive to requests for personnel support from multilateral peacekeeping missions, like the U.N.?

Answer. Yes, if confirmed, I would support exploring ways that DOD could more quickly respond to requests for personnel support, bearing in mind applicable legal requirements and the current operational tempo of U.S. forces.

COLOMBIA

*Question.* Success in suppressing violence in Colombia has been credited to U.S. assistance to support Plan Colombia and to the growth of the Colombian economy, which spread wealth to a larger portion of the population. Over the past 2 years, there has been a debate about the most effective balance of U.S. assistance to continue to build on this success. Much of the U.S. assistance to Colombia over the past 5 years would be characterized as hard-side security assistance (such as weapons, aircraft, and necessary training), but some argue hard-side assistance should now be decreased significantly and a more robust development plan should be implemented.

In your view, what is the most appropriate strategy for U.S. engagement (including "soft" support) vis-á-vis Colombia?

Answer. U.S. security assistance to Colombia has always been a mix of "hard" and "soft" components. As the conflict has evolved, the ratio of "hard" to "soft" elements has steadily decreased. Between 2000 and 2006, our assistance was mostly focused on building Colombia's military and police capacity, first to defend the country from the offensive actions of irregular armed groups which included guerrillas, paramilitaries and drug traffickers; then, once the situation stabilized to support the government as it went on the offensive to recover terrain dominated by these groups. When most of Colombia was back under government control, our assistance began to focus on supporting what Colombia called Consolidation. Basically this was an effort to bring in the rest of the government to establish permanent presence and services within the newly recovered areas. Currently approximately two-thirds of our assistance to Colombia supports consolidation, with the rest going for hardware and training. As the internal conflict moves towards its conclusion, the ratio of "hard" to "soft" assistance will continue to diminish.

*Question.* In your view, should DOD reduce its security assistance to Colombia as a result of the success of the last decade?

Answer. U.S. military assistance to Colombia has been gradually diminishing since 2006. As Colombia's security capabilities and their economy grow, our assistance becomes less critical. While the U.S. has invested $8 billion in Colombia over the last 12 years, this never exceeded 10 percent of the Colombian defense budget. However, it did enable key capabilities which have put Colombia in a good posture to bring the internal conflict to a successful conclusion. In addition, the U.S.-Colombia relationship has now transformed from a donor-client relationship, to one of increasing strategic partnership. Colombia is reaching out to regional countries in Central America and Mexico, South America, and even West Africa to help these

countries combat illicit trafficking, organized crime and terrorism. In some cases, like Mexico, we are coordinating our engagement efforts with Colombia, and in other cases, like West Africa, they are reaching out on their own. The United States and Colombia are developing a mechanism through which to more closely coordinate our regional security cooperation efforts. However, we should maintain the appropriate level of robust and predictable assistance to reinforce success, protect our investment, and reaffirm our commitment to a strong, democratic and prosperous Colombia.

STABILITY OPERATIONS

*Question.* The new DOD Strategic Guidance states that, while U.S. forces will capture the lessons learned from operations in Iraq and Afghanistan, they "will no longer be sized to conduct large-scale, prolonged stability operations."

In your view, what are some of the key lessons learned from the stability operations conducted in Iraq and Afghanistan?

Answer. One of the most important lessons learned from these conflicts is the importance of a whole-of-government approach to stability operations. U.S. Government military and civilian efforts must be closely synchronized and have unity of effort in order to successfully address not just the military, but also the social, political, and economic factors that can fuel a conflict.

From the DOD perspective, one of the key lessons from these conflicts has been widening the aperture for how we think about conflict environments, to not only include the military dimension of a problem, but also factoring in these other social, political, and economic factors in order to understand how they contribute to insurgency and terrorism. The U.S. military must plan and train with its civilian counterparts and be prepared to operate across a range of environments and types of conflicts. Indeed, the need for greater capabilities and capacity in civilian agencies has been a recurring lesson for the entire U.S. Government.

Of paramount importance is our ability to rapidly create effective indigenous security forces. Only indigenous forces can "hold" and "build" on a lasting basis. Establishing effective military, police, paramilitary forces, and local security forces is one of the most critical elements of successful counterinsurgency and stability operations. When building indigenous security forces we need to be careful not to breed dependency. We also need to focus on transitions which entail having the local government and military forces take the lead in projects and operations whenever possible as soon as reasonably possible.

*Question.* What do you believe is the proper role for the DOD in the planning and conduct of stability operations in future contingencies?

Answer. As seen in recent operations, there is a great need for economic development, governance, diplomatic, and law enforcement experts who work for the State Department, USAID, and the Justice Department. DOD must coordinate its plans with interagency partners, especially State, USAID and Justice.

In my view, DOD should operate within whole-of-government structures and in collaboration with international partners to conduct these types of operations. DOD should continue to enable the deployment and use of the appropriate civilian capabilities and resources, and I encourage greater investment in civilian capacity for contingency operations. When no other options are available, and when directed, DOD should be prepared to lead stability operations activities to establish civil security and control, restore essential services, repair and protect critical infrastructure, deliver humanitarian assistance, and then transition lead responsibility to other appropriate entities (e.g., U.S. Government agencies, foreign governments and security forces, and international governmental organizations and non-governmental organizations). Close collaboration between DOD and other civilian agencies on contingency planning before contingencies arise can help contribute to success in the event that stability operations are required.

BUILDING PARTNER CAPACITY

*Question.* In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations, including the global train and equip authority ("section 1206"), targeted authorities in Yemen and East Africa, and the global security contingency fund.

In your view, what are our strategic objectives in building the capacities of partner nations?

Answer. In my view, the main strategic objective of the United States in building the capacity of foreign partners is to help them develop effective and legitimate security institutions that can provide for their countries' internal security, and contribute to regional and multilateral responses to threats and instability. This, in

turn, mitigates the burden on U.S. forces responding to security threats outside the United States, and serves to build a base of countries that can effectively participate in multinational coalition-based operations.

Successfully countering violent extremist networks requires that we develop and sustain a global network of allies and partners that is capable and interoperable. Additionally, once partners become capable and have sufficient capacity, they are able to help bolster regional security in a way that supports U.S. interests. In some cases, participation by these partner nations' forces provide cultural and linguistic advantages that afford them better access and effectiveness than U.S. forces executing the same mission. For example, today Colombia provides justice sector and security force assistance to other U.S. partner nations in the Americas and Africa.

Finally, efforts to build partner capacity promote interoperability between forces and enable the U.S. military to establish personal connections and long-term relationships with foreign counterparts. We can never be certain where in the world U.S. forces may be required to operate. Enduring relationships with partner nations are at the core of a multinational coalition's strength, helping secure shared access to facilities and territory, information, and diplomatic support.

*Question.* What improvements, if any, would you recommend, if confirmed, to the strategic direction, oversight, and management of the Department's programs for building partner capacity to ensure that these programs are executed consistent with our national security goals and objectives?

Answer. If confirmed, I would continue to support DOD capabilities and investments that encourage and enable partners to develop capable security forces and institutionalize the Department's capacity to provide high impact security force assistance. I would provide recommendations to the Secretary that enable him to make informed choices with regard to the location and frequency of DOD activities that build partners' security capacity. It is essential in this era of shifting focus and constrained resources that we carefully prioritize which partners we engage with, how often, and to what end.

Also if confirmed, I would continue to implement process improvements in the delivery of defense articles and services for urgent and emerging needs.

*Question.* In your view, what should be the role of DOD, vis-á-vis the State Department and other civilian departments and agencies in efforts to build the capacity of foreign security forces?

Answer. The United States will be more successful at deterring and responding to security challenges when allies and partner security forces act in a way that is complementary to U.S. goals and objectives. Our experiences in Iraq and Afghanistan, our continuing efforts to counter violent extremist organizations and transnational criminal organizations, and our preparations for future contingencies clearly illustrate the need for capable partners who can apply capabilities complementary to U.S. military objectives. In that vein, I believe that DOD should sustain and grow the capability to develop partner security forces, especially forces to train, advise, and assist partners during conflict.

Building the capacity of foreign security forces is a shared responsibility within the executive branch, particularly the Departments of State and Defense. Close collaboration between the Departments is a key characteristic of the section 1206 authority, and one of its greatest strengths. The Global Security Contingency Fund epitomizes this shared responsibility, and represents an opportunity for DOS and DOD to plan for contingencies jointly, and to establish a new business model for interagency planning of security sector assistance.

COMBATING TERRORISM

*Question.* The administration recently released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked groups "that continue to emerge from beyond its core safe haven in South Asia."

If confirmed, what would be your role within DOD with respect to counter terrorism?

Answer. If confirmed, I would be the principal staff assistant and advisor to the Secretary of Defense for all matters concerning the formulation of national security and defense policy, including counterterrorism policy. In this capacity the USD(P) has historically served as the Secretary's senior representative to Deputies Committee meetings focused on counterterrorism policy (and other policy issues). My role, if confirmed, would be to formulate, coordinate, and present the views of the Secretary on CT policy issues. Currently these are mainly oriented on the war

against al Qaeda, which includes operations and activities against its allies and affiliates, but we also recognize that there are other terrorist groups that may seek to cause harm to the United States and its allies. I would work closely in performance of these duties with the Under Secretary of Defense for Intelligence, the DOD General Counsel, the Joint Staff, and the Regional and Functional Assistant Secretaries in the office of the Under Secretary of Defense for Policy, particularly the Assistant Secretary for Special Operations and Low Intensity Conflict. I would carefully consider the views of our interagency colleagues and international partners to consider whole-of-government solutions to counterterrorism problems.

*Question.* What do you believe is the terrorism threat from al Qaeda and affiliated groups in each of the Geographic Combatant Commands?

Answer. The most significant groups that threaten the United States and our allies are core al Qaeda, comprised of the group's senior leaders, and AQAP, which is the most capable of the group's allies and affiliates. However, a few key operatives operating from any of al Qaeda's other affiliates, or even "lone wolves" inspired by al Qaeda, may be able to perpetrate attacks abroad or against the U.S. Homeland. Terrorist acquisition of weapons of mass destruction and anti-aircraft weapons proliferating from unstable states is a chief concern, as is the growing capability of some groups to construct concealed improvised explosive devices.

In the CENTCOM area of responsibility, al Qaeda core leadership in South Asia has been significantly degraded. Their most experienced operational planners have been depleted, and they have lost the freedom of movement they once enjoyed. Nonetheless, they remain determined to launch attacks on the homeland and U.S. interests abroad, and have shown recent capability to raise funds and formulate external plots. In Yemen, AQAP poses probably the most direct threat to the United States. The group has attempted two major attacks in the past 3 years, first the so-called "underwear bomber" in December 2009, and the airline parcel bombs in October 2010. Both of these plots were devised by the same expert bomb maker, who remains at large in Yemen. AQAP has exploited a year of political unrest in Yemen to expand its area of operations in remote provinces, and continues to threaten domestic stability while actively plotting operations against the United States. AQAP has strong connections to al Shabaab in Somalia, which recently announced its affiliation with al Qaeda, and uses these connections to share resources and training among the two groups. In Iraq, al Qaeda in Iraq (AQI) has shown resurgence in the wake of the U.S. withdrawal, increasing its pace of attacks on the government and fomenting sectarian violence. AQI is also seeking to exploit instability in Syria, further fueling an already volatile situation there.

In the AFRICOM Area of Responsibility, al-Shabaab represents both a terrorist threat to U.S. and regional interests and an insurgent problem to the Somali Transitional Federal Government (TFG) as well as Somali regional administrations. On February 9, 2012, al Qaeda and al-Shabaab jointly announced their formal merger. al-Shabaab has shown interest in external attacks against the West and has active connections to Somali diaspora communities in Europe and the United States. In North and West Africa, al Qaeda in the Lands of the Islamic Maghreb (AQIM) uses ungoverned spaces in the Maghreb and Sahel as a safe haven. Originally focused on overthrowing the government of Algeria, AQIM evolved and now has a stated intent to attack western targets. There are clear indications that AQIM is now involved in trafficking arms from Libya. In addition, the upheavals in Libya and Tunisia have created opportunities for AQIM to establish new safe havens. We should also continue to monitor Boko Haram in Nigeria.

The threat of attack by al Qaeda and its affiliates against U.S. interests in the PACOM AOR remains a serious concern. The possible re-emergence of other terrorist organizations, like Jamaah Islamia and the Abu Sayaaf Group, that have been weakened but not defeated by the counter-terror efforts of our allies and partners could quickly affect the security and stability of the Asia-Pacific region. Other decentralized groups and individuals ideologically linked to al Qaeda, as well as organizations based primarily outside the PACOM AOR like Lashkar-e-Tayyiba, desire to support their agendas by conducting destabilizing attacks inside the region. Additionally, al Qaeda-affiliated groups operate in the PACOM AOR using facilitation networks that support threats to U.S. interests throughout the world.

The EUCOM AOR continues to represent an area of high interest for al Qaeda and its affiliates, seeking potential targets there and using Europe as a support base. Terrorist organizations exploit the relatively permissive European legal environment to radicalize local populations and to seek material and financial support for jihadist efforts in Afghanistan, Iraq, and elsewhere. Radicalized fighters returning home to Europe from conflict zones pose a real threat given their experience, contacts, and ability to move across the continent. The threat these extremists pose,

using Europe as a base or corridor for operations elsewhere in the world, including the United States, cannot be discounted.

In the SOUTHCOM AOR, particularly in Central America, transnational organized crime has evolved into a volatile and potentially destabilizing threat to both citizens and regional security. These transnational criminal organizations control smuggling routes that traverse the hemisphere, many of which lead into the United States. These routes represent potential access points that could be leveraged by other groups. Although we have not yet seen any attempts by al Qaeda to leverage these smuggling routes, we remain watchful for the potential threat of transnational criminal organizations collaborating to move terrorists through the AOR and into the United States. Sunni extremists, although small in number, are actively involved in the radicalization of converts and other Muslims; these efforts can be seen through the influence of public personalities like Jamaica's Shaykh Abdullah al-Faisal, who was convicted in the United Kingdom for inciting terrorism.

Within the confines of U.S. borders, laws, policies, and democratic traditions and practices properly restrict most counterterrorism activities to support to civil authorities. As a result, NORTHCOM's principal role is to synchronize joint force protection and ensure that military infrastructure across the AOR is properly postured to mitigate and prevent potential terrorist attacks. DOD is and must remain fully aligned within the Federal Government's counterterrorism network and plays a supporting role—assisting with information sharing and remaining prepared to supply military-unique capabilities and to enhance civilian capacity when directed by the President or Secretary of Defense. Mexico is confronting serious security and public health challenges driven by transnational criminal organizations (TCOs) responsible for illicit trafficking of drugs, human beings, money, and weapons. These criminal organizations are increasingly adopting terrorist tactics in their operations.

*Question.* Are you aware of any nexus between non-state actors and criminal networks?

Answer. Terrorist groups and insurgent movements are increasingly turning to criminality—including narcotics and other illicit trafficking—to perpetuate and expand their activities. This is certainly the case in Afghanistan. We also see criminal organizations, such as Mexico-based drug cartels, adopting terrorist tactics in their operations. Criminals and terrorists are also directly working together. We only need to look at the recent Iranian plot to assassinate the Saudi Arabian Ambassador in Washington by engaging the Los Zetas transnational criminal organization to see this trend. I would also note the recent testimony by Director of National Intelligence Clapper, in which he stated that "Terrorists and insurgents will increasingly turn to crime and criminal networks for funding and logistics. Criminal connections and activities of both Hizballah and al Qaeda in the Islamic Maghreb illustrate this trend."

*Question.* On September 22, 2011, Secretary of State Hillary Clinton launched the Global Counterterrorism Forum (GCTF) with 30 founding members from around the world. The GCTF is a major initiative within the Obama administration's broader effort to build the international architecture for dealing with terrorism. The primary focus of the GCTF is capacity building in relevant areas and aims to increase the number of countries capable of dealing with the terrorist threats within their borders and regions.

What is your understanding of this initiative?

Answer. My understanding is that the GCTF is a multilateral platform that will provide a venue for governments to meet and identify counterterrorism needs, and to mobilize the necessary expertise and resources to address such needs and enhance global cooperation. The GCTF is intended to complement ongoing efforts with the United Nations, as well as other regional and sub-regional bodies. I understand that the September 2011 launch of the GCTF was positively received by all of the members involved.

*Question.* Given the emphasis on building partner capacity, what is your understanding for the role of DOD—and in particular Special Operations Forces—in this initiative?

Answer. Special Operations Forces will continue to have a leading role in our operations and activities to defeat al Qaeda. The Department is prepared to sustain a significant number of deployed SOF around the world, working closely with allies and partners to develop the capabilities and capacities they need to rid their territories of terrorists and prevent their resurgence. We see this as predominantly an advise and assist mission, but the United States should always reserve the right to take direct action in order to defend itself from a terrorist attack.

The defeat of al Qaeda cannot be achieved without bringing together the expertise and resources of the entire U.S. Government—intelligence, law enforcement, military, and other instruments of national power—in a coordinated and synchronized

manner. If confirmed, I would seek strong relationships with DOD's interagency partners, in particular, the National Counterterrorism Center, the State Department's Bureau of Counterterrorism, and the Center for Strategic Counterterrorism Communications, to maximize DOD's efforts to counter violent extremism. The GCTF, as a State Department-led effort, is one example where DOD including SOF counterterrorism and security cooperation activities can support and inform interagency partners' efforts in counterterrorism.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

*Question.* On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support CN operations, build the capacity of certain foreign governments around the globe, and analyze intelligence on CN-related matters.

What is your understanding and assessment of the DOD CN program?

Answer. Drug trafficking and associated organized crime are a multidimensional threat to the national security of the United States. In addition to the impact on our Nation's public health and economy, drug trafficking and other forms of transnational organized crime provide a funding source for terrorists and insurgents, undermine legitimate government institutions, and contribute to international instability.

DOD counternarcotics efforts support global DOD national security objectives by building partner nation capacity and working with U.S. law enforcement agencies such as DEA, CBP, FBI, and ICE to disrupt narcotics trafficking. These cost-effective, small-footprint efforts are consistent with the Department's January 2012 strategic guidance.

I fully recognize the importance of DOD counterdrug activities, including as the statutory lead agency for aerial and maritime detection and monitoring of drugs bound for the United States and in support of law enforcement in Afghanistan and other areas of national security importance such as Mexico and Colombia.

If confirmed, I look forward to ensuring that these activities are given their appropriate level of attention and oversight, and to ensure that they are as cost-effective as possible.

*Question.* What is your understanding of the Department's CN authorities?

Answer. The Department's counternarcotics authorities provide critically important tools in confronting the convergence of narcotics trafficking, terrorism, and other forms of transnational organized crime, that pose a growing threat to our national security interests.

In addition to title 10 U.S.C. 124, which establishes the Department as the single lead agency for the detection and monitoring of aerial and maritime drug trafficking bound for the United States, longstanding provisions enacted in various National Defense Authorization Acts, allow the Department to enhance the capabilities of State, local, tribal, Federal, and international law enforcement partners. DOD counternarcotics authorities not only support broader U.S. Government efforts to stem the flow of illicit drugs into the United States, but they also support the National Guard's counterdrug activities in 54 States and Territories and the theater campaign plans of all 6 Geographic Combatant Commands.

In my experience, counternarcotics authorities are often invaluable in achieving strategic national security objectives. If confirmed, I look forward to working with Congress to ensure these authorities are sustained.

*Question.* Should the Department continue to play a role in countering illegal narcotics trafficking?

Answer. I believe that the answer is yes. Based on my past experience with this issue, DOD contributes militarily unique capabilities that support law enforcement and a whole-of-government approach to address this national security threat. DOD's contributions have been critically important to the progress we have made since the 1980s.

In my view, DOD should continue to play an important role in U.S. counterdrug efforts in support of the National Security Strategy, the National Drug Control Strategy, and the Strategy to Combat Transnational Organized Crime.

The enemies we face on the battlefield today are increasingly financed through non-traditional means, including through drug trafficking and other forms of organized crime. Just as DOD has long been focused on how traditional, State-funded adversaries are supported, we must use all of the tools at our disposal to counter the sources of revenue that support the asymmetrical threat we face today and are likely to face for the foreseeable future.

Drug trafficking and other forms of transnational organized crime contribute to global instability by undermining legitimate government institutions, fostering corruption, and distorting legitimate economic activity. Consistent with the Depart-

ment's January 2012 strategic guidance, DOD's efforts to build the counternarcotics capacity of partner nation security forces serve to prevent and deter broader conflicts that could require a much more costly military intervention in the future.

Drug trafficking is by far the world's most lucrative illicit activity and therefore is used as a source of revenue by terrorists, insurgents, and other threats to national security. The vast illicit proceeds of drug trafficking can also contribute to instability in affected countries, particularly in smaller, more vulnerable countries along key transit routes as we are seeing today in Central America and West Africa. The national security implications of drug trafficking necessitate our close attention—even when the drugs are not bound directly for the United States.

COUNTER THREAT FINANCE

*Question.* A number of officials in DOD and the Intelligence Community have called for investing additional resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking.

What are your views on the role of DOD in counter threat finance activities?

Answer. Terrorists, drug traffickers, and other adversaries rely heavily on licit and illicit funding sources to support their activities, which routinely work against U.S. interests. As Director for National Intelligence Clapper testified to the Senate Select Committee on Intelligence in January 2012, "terrorists and insurgents will increasingly turn to crime and criminal networks for funding and logistics."

It is critical to engage all U.S. Government tools to track and halt the flow of moneys, as in Afghanistan and Iraq, where DOD has the capability to identify and disrupt our adversaries' finances by working with interagency counterparts in Afghanistan and by supporting the U.S. Embassy country team in Iraq.

DOD is not the U.S. Government lead agency in counter-threat finance, but I believe that DOD can play a critical role working with other departments and agencies, and with partner nations, to fight our adversaries' ability to use global financial networks. I believe that DOD should continue to work with law enforcement agencies to ensure military support is targeted and tailored and are in line with DOD priorities.

*Question.* In your view, should DOD seek to expand its support to other U.S. Government departments and agencies conducting counter threat finance activities (such as Department of Treasury, Drug Enforcement Agency, and Federal Bureau of Investigation)?

Answer. I believe that DOD could selectively increase its support to U.S. law enforcement agencies, the Treasury Department, the intelligence community, and the Department of State to target and degrade our adversaries' funding sources. DOD brings unique capabilities, such as planning, intelligence analysis and tools, and the integration of intelligence into operations, to this effort.

DOD Counter Threat-Finance (CTF) Policy directs that DOD work with other U.S. Government departments and agencies and with partner nations to deny, disrupt, or defeat and degrade adversaries' ability to use global licit and illicit financial networks to affect U.S. interests negatively.

Working through the interagency, we can increase the U.S. Government's ability to target our adversaries' vulnerabilities through interdiction, sanctions, and other law enforcement actions.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

*Question.* Transnational criminal organizations are having a debilitating impact on the ability of our foreign partners to govern their nations and provide opportunities for their people. Last July, President Obama released the first National Strategy to Combat Transnational Organized Crime. DOD is by no means the U.S. Government's law enforcement agency, but it does bring unique enabling capabilities to our Nation's Federal law enforcement agencies.

What role, if any, should the Department play in combating transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime declares that transnational organized crime "poses a significant threat to national and international security." The Strategy calls for the U.S. Government to "build, balance, and integrate the tools of American power to combat transnational organized crime." This direction—to take a whole-of-government approach to combating a national security threat—includes an important role for DOD. I believe that DOD should continue to focus on delivering unique capabilities in support of law enforcement agencies that are the lead agencies for combating transnational organized crime.

Specifically, I believe that DOD should continue to provide military intelligence support to law enforcement, counter-threat finance support, and military-to-military capability development. When appropriate (e.g. in warzones), DOD may take the lead in operational activities against specific transnational criminal threats to the United States. As the President's Strategy notes, "transnational organized crime presents sophisticated and multifaceted threats that cannot be addressed through law enforcement action alone." DOD's capabilities and authorities are thus critical supporting tools to broader U.S. Government efforts against transnational organized crime.

The President's Strategy also directs DOD to "enhance support to law enforcement through the Narcotics and Transnational Crime Support Center," a dedicated DOD-led center that integrates military, intelligence, and law enforcement analytic capabilities to go after key nodes in global criminal networks. This guidance further reflects the added value that the Defense Department brings to whole-of-government efforts against transnational organized crime.

NUCLEAR WEAPONS COUNCIL

*Question.* The USD(P) is a member of the Nuclear Weapons Council.

In your view, what are the significant issues that the Nuclear Weapons Council should take up in the coming years?

Answer. The Nuclear Weapons Council should continue to ensure that the U.S. nuclear weapons stockpile is safe, secure, and effective, in the absence of underground nuclear testing, and ensure modernization of the complex supporting the stockpile. One near-term issue before the NWC is to address the immediate path forward with regard to weapon activities that are to be conducted under NNSA's Future Years Nuclear Security Program.

*Question.* If confirmed would you commit to active personal participation in Nuclear Weapons Council matters?

Answer. I have participated in the NWC while serving as Principal Deputy Under Secretary for Policy, and plan to continue to do so as Under Secretary, if confirmed.

NUCLEAR WEAPONS COMPLEX MODERNIZATION

*Question.* Section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) required a report (the "1251 report") on plans for modernizing the nuclear weapons complex and strategic delivery systems. Prior to the Budget Control Act of 2011, the 1251 report that accompanied the New START treaty set forth a robust plan for modernizing the nuclear weapons complex and the triad of nuclear delivery vehicles.

Do you support the modernization plan set forth in the 1251 report?

Answer. Yes. The administration's commitment to maintaining a safe, secure and effective nuclear deterrent, and recapitalizing the nuclear complex, was set forth in the Nuclear Posture Review and amplified in detail through the "1251 report". That plan remains sound, however, the Budget Control Act requires DOD and the Department of Energy to make a variety of difficult choices. If confirmed, I will continue to work to ensure that both DOD and the Department of Energy have the investments needed to support modernization of the nuclear weapons complex and strategic delivery systems.

*Question.* Do you agree that modernizing the nuclear triad and replacing critical infrastructure, such as the Chemistry and Metallurgy Research Replacement (CMRR) at Los Alamos and the Uranium Processing Facility (UPF) at Y–12, should be national security priorities that should be addressed in a timely manner?

Answer. Yes. Modernizing the U.S. strategic nuclear enterprise as a whole is a key national security priority. The decision to defer the CMRR was a difficult one, but was made to permit critical warhead life extension programs to move forward in the newly constrained fiscal environment. This tradeoff was approved by the Nuclear Weapons Council after careful review. Moreover, the DOD's independent UPF/CMRR study concluded that if funding limits constrained parallel construction of the two facilities, then phased construction would be a prudent alternative approach, with UPF construction beginning first.

*Question.* There appear to be differing views on how best to reduce the hedge stockpile of W–78 and W–88 warheads within the Department, which is important to reduce the size of our overall stockpile. One view advocates a common warhead and another view advocates two warheads that have interchangeable components.

Please tell the committee which view you would advocate for, if confirmed, and why.

Answer. Efforts to develop a common warhead would allow DOD to reduce the number of warhead types in the stockpile and to reduce the number of warheads

needed to protect the nuclear deterrent should a technical failure be discovered. Warhead commonality would also allow for substantial reductions in life-cycle and production costs. Adaptable or interchangeable components can be configured to provide a degree of commonality, and would preserve more diversity in the stockpile.

Before making a recommendation on this issue, I would like to see the results of analysis currently under way on this issue by the Services and the NNSA Labs.

DOD'S COOPERATIVE THREAT REDUCTION PROGRAM

*Question.* Do you think the CTR program is well coordinated among the U.S. Government agencies that engage in threat reduction efforts in Russia, e.g., DOD, the State Department and the Department of Energy?

Answer. I believe that the Cooperative Threat Reduction program is well-coordinated with activities of other U.S. Government agencies in the Russian Federation, and in the other countries where it operates. Coordination is accomplished at staff and management levels in Washington, and through close collaboration in the field. If confirmed, I will ensure that continuation of this approach remains a hallmark of the program.

*Question.* The CTR program has been expanded to geographic areas outside the former Soviet Union.

What in your view are the key proliferation concerns that CTR should address outside the former Soviet Union? Please explain.

Answer. I believe that the Cooperative Threat Reduction program can be an important tool to address specific WMD-related threats and prevent new WMD threats from developing. For example, CTR can help secure or eliminate radiological, chemical or bio-security threats, or threats posed by related delivery systems or infrastructure. CTR can also be used to build security partnerships related to WMD threats. This is especially appropriate in some areas outside the former Soviet states where partner countries are cooperating to improve bio-security standards and surveillance, as well as border security to improve WMD interdiction capacity.

*Question.* Which countries outside the former Soviet Union should be the focus of this expansion of the CTR Program?

Answer. The focus of expansion beyond countries of the former Soviet Union should be in areas where the CTR Program can directly and appreciably reduce WMD threats, contribute to more effective military-to-military or political strategic partnerships, strengthen the nonproliferation framework, and bring to bear unique threat reduction capabilities, resources or partnerships that other U.S. Government threat reduction and related programs cannot. Current expansion efforts are underway in Africa and Asia.

*Question.* CTR has completed or will soon complete the bulk of the scheduled work with Russia.

What in your view is the next step, if any, in the U.S.-Russia CTR program?

Answer. The United States and Russia can continue to cooperate on nuclear security-related activities through the CTR program. These include transition of sustainment responsibilities for U.S.-provided security upgrades to the Russian Ministry of Defense, cooperation on security for dangerous spent reactor fuel, and support to bilateral defense and military cooperation related to WMD threat reduction.

ILLICIT ARMS TRAFFICKING

*Question.* In July, governments of the world will gather at the United Nations to negotiate a global Arms Trade Treaty which would set global standards on the international transfer of conventional weapons. What is your understanding of the problem of illicit arms trafficking and the role of the United States to deal with the problem?

Answer. The arms market is increasingly complex and global. Existing regional and national arms export control systems do not provide complete, global coverage. This creates gaps which are being exploited by illicit arms dealers. I believe that the United States should seek to negotiate a robust and effective Arms Trade Treaty, which may close these gaps.

*Question.* In your view, to what extent, if at all, does the lack of national controls and enforcement on arms flows contribute to the illicit trafficking problem, and could efforts to respond to illicit trafficking be improved if other countries adopted and enforced national regulations on arms import, export, and transit similar to those of the United States?

Answer. An Arms Trade Treaty would be a legally binding agreement which will require states to establish high national standards in controlling the export of conventional arms. Such norms should better regulate the global arms market to pre-

vent weapons reaching the hands of terrorists, insurgents, and human rights abusers.

*Question.* Enhance U.S. national security interest efforts in the region?

Answer. U.S. national security interests would be served by a treaty that increases international standards in different regions; includes major arms exporters such as Russia and China; reaffirms the right of self-defense and the legitimacy of arms transfers for security purposes; does not undermine existing nonproliferation and export control regimes; and is agreed through consensus.

*Question.* What is your view on whether or not the United States should be a party to this effort?

Answer. U.S. participation in the negotiations will help ensure the treaty establishes a high standard of international behavior that will ultimately reduce the proliferation of conventional arms. I would need to see the results of negotiation to make any further recommendation.

ARMS CONTROL

*Question.* What role do you see for arms control as a means of improving U.S. national security?

Answer. Arms control can continue to play an important role in advancing U.S. national security by providing predictability and stability in certain strategic relationships, particularly in U.S.-Russian relations. Arms control should never be an end unto itself; neither is it a tool that can be employed without the context of a well-prepared and effective military force.

*Question.* What are your views on the next bilateral steps to address nuclear weapons issues between the United States and Russia?

Answer. I believe that as New START is implemented and any issues that arise are addressed in the Bilateral Consultative Commission, we should continue to work with Russia to lay the groundwork for future bilateral negotiations on reducing both strategic and nonstrategic weapons, including nondeployed weapons.

The Report of the Nuclear Posture Review noted that because of our improved relations, strict numerical parity between the United States and Russia is no longer as compelling as it was during the Cold War. However, it also indicated that large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced. By joining with the world's other principal nuclear power to move to lower levels of forces in concert, arms control thus provides a means for strengthening strategic stability in our relationship with Russia.

*Question.* What conditions, if any, do you believe need to be met to further reduce our strategic nuclear stockpile through arms control?

Answer. As I stated in testimony of November 2, 2011, the ongoing Nuclear Posture Review Implementation Study will help identify the force levels needed to support deterrence and targeting requirements. The completion of this analysis is necessary to inform the formulation of any future arms control objectives involving our nuclear stockpile. In general however, I believe that future nuclear reductions should maintain strategic deterrence and stability with regard to Russia and China, strengthen deterrence of potential regional adversaries, and ensure the credibility of our security assurances to our allies and partners. We also must guarantee our operational flexibility and ability to hedge against geopolitical and technical uncertainty.

*Question.* In your response to prehearing policy questions for your nomination to be Deputy USD(P), you answered that "One way to strengthen the [Nuclear Nonproliferation Treaty (NPT)] regime would be to ensure that any violation automatically triggers sanctions."

Do you still agree with that statement, or would you modify it?

Answer. In my prior response, I said that we should work to strengthen the Treaty by encouraging states to adhere to the NPT and to agree to International Atomic Energy Agency inspections. I continue to believe that one way to strengthen the NPT regime would be to ensure that violations automatically trigger sanctions. I also mentioned in my response that other ways to strengthen the Treaty should be examined as well. For example, this could include a requirement for a State that withdraws from the NPT to return all nuclear material and equipment that had been supplied while it was Party to the NPT.

*Question.* In your response to the pre-hearing policy questions for your nomination to be Deputy USD(P), you stated that you believe the Comprehensive Test Ban Treaty (CTBT) is "in America's national security interest, and . . . that with careful planning and continued investment that the United States can ensure the safety,

reliability, surety, security, and sustainability of our nuclear deterrent under a CTBT."

Do you still agree with that statement, or would you modify it?

Answer. I do still agree with that statement. The Department of Energy's Stockpile Stewardship Program has proven itself to be successful, and continues to ensure the safety, security, and effectiveness of our nuclear deterrent. At the same time, our ability to detect nuclear tests has improved since the Treaty was first considered. The CTBT remains fully in America's national security interest.

BALLISTIC MISSILE DEFENSE

*Question.* In February 2010, the Defense Department issued its report on the first-ever comprehensive review of U.S. ballistic missile defense policy and strategy, the Ballistic Missile Defense Review (BMDR), as required by Congress. The BMDR established a number of policy priorities, including establishing defense against near-term regional missile threats as a top priority of missile defense plans, programs and capabilities. It also stated the policy of sustaining and enhancing the ability of the Ground-based Midcourse Defense system to defend the homeland against attack by a small number of long-range missiles by countries such as North Korea and Iran, and of hedging against future uncertainties.

Do you support the policies, strategies, and priorities set forth in the Ballistic Missile Defense Review and, if confirmed, will you implement them?

Answer. Yes, I continue to support the policies, strategies, and priorities set forth in the February 2010 Report of the BMDR and, if confirmed, I will continue to do my best to implement them.

*Question.* Do you agree that our missile defense must be fiscally sustainable?

Answer. Yes. DOD has tailored its budget request to requirements of the Budget Control Act. Missile defense is emphasized in the new strategic guidance, and the Department has used a clear set of priorities to guide spending decisions in this mission area. We have protected our top missile defense priorities, including defending the homeland, implementing the European Phased Adaptive Approach (EPAA), and pursuing Phased Adaptive Approaches (PAAs) with allies and partners in the Middle East and Asia-Pacific.

*Question.* In September 2009, President Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to pursue a Phased Adaptive Approach (PAA) to missile defense in Europe. This approach is intended to defend all of Europe against existing and emerging threats from Iranian missiles, increasing in capability with each of its four phases. Phase 4 of the European PAA is intended to provide a capability to defend against potential future long-range missiles from Iran that could reach the United States, thus augmenting the existing homeland missile defense capability.

Do you support the Phased Adaptive Approach to Missile Defense in Europe and, if confirmed, will you implement it?

Answer. Yes, I support the EPAA and, if confirmed, I will continue to support the United States' efforts to implement it.

*Question.* Do you agree that any ballistic missile defense systems (BMDS) that we deploy operationally must be operationally effective, suitable, survivable, cost-effective, affordable, and should address a credible threat?

Answer. Yes. I believe that DOD should continue to subject new ballistic missile defense capabilities to testing under realistic operational conditions, against threat-representative targets. DOD should invest in BMD capabilities that are fiscally sustainable over the long term, and rely on mobile and relocatable assets in order to provide maximum adaptability in a crisis or to reflect changing threats.

*Question.* Do you agree that ballistic missile defense testing needs to be operationally realistic, and should include Operational Test and Evaluation, in order to assess operational capabilities and limitations of BMDS, prior to deploying such systems?

Answer. Yes. U.S. ballistic missile defense testing needs to be operationally realistic and include robust Operational Test and Evaluation. Realistic testing of the system allows us to field new capabilities as they become available and integrate them into the BMDS architecture. The "fly-before-you-buy" policy outlined in the Report of the BMDR still makes good sense.

*Question.* The United States and NATO are seeking options to cooperate with Russia on missile defense, including the possibility of sharing radar and early warning data. President Obama has announced that such cooperation would not limit U.S. or NATO missile defense capabilities.

Do you agree that such cooperation could enhance the security of the United States, NATO, and Russia against common missile threats from Iran, and could

send a powerful signal to Iran that could help persuade Iran not to pursue long-range missiles or nuclear weapons?

Answer. Yes. I believe that missile defense cooperation with Russia could strengthen common defenses against Iranian missiles, and send an important signal to Iran that Russia and the United States are working together to counter the acquisition, deployment, and use of ballistic missiles.

*Question.* Do you agree that, notwithstanding Russian concerns, the United States is committed to the continued development and deployment of United States missile defense systems, including qualitative and quantitative improvements to such systems, needed to meet our security needs?

Answer. Yes. The United States has pursued missile defense cooperation with Russia with the clear understanding that we would not accept constraints on missile defense, and that we would undertake necessary qualitative and quantitative improvements to meet U.S. security needs

SPACE MANAGEMENT AND ORGANIZATION

*Question.* What role, if any, do you believe the USD(P) should play in the establishment of a national security space policy?

Answer. I believe that the USD(P) should lead DOD in supporting the development and revision of national security space policy, and should remain responsible for establishing and overseeing the implementation of overarching DOD space policy developed in accordance with the National Space Policy, National Security Space Strategy, and associated guidance.

*Question.* Do you support the policy of having an operationally responsive space (ORS) capability as a means to lower the cost and time for the development of national security space payloads?

Answer. Yes, operationally responsive space capabilities are a key way to ensure that resilience, survivability, and flexibility are considered in all future space programs.

*Question.* The launch of the ORS–1 satellite demonstrated that giving combatant commanders such as CENTCOM the ability to control a small operationally responsive satellite can be successful.

Would you support extending this capability to other COCOMS through the development of additional small tactically responsive satellites?

Answer. The valuable role that ORS capabilities can play in responding to combatant commander needs is one of the lessons-learned from ORS–1 that we are transferring to the Air Force's Space and Missile Center. Incorporating these lessons-learned into the larger space acquisitions enterprise will ensure that responsive space capabilities continue to support COCOM needs.

*Question.* Space systems, like other military systems, rely on the availability of sufficient frequency spectrum. However, frequency spectrum is becoming scarce, and its sale has been used as a source of revenue for the government.

If confirmed, how will you work with the Services, the Joint Staff and other elements of DOD to ensure that the Department's frequency spectrum requirements are accounted for in interagency discussions about potential spectrum auctions?

Answer. If confirmed, I will work with the DOD Chief Information Officer, the Military Services, and the Joint Staff to ensure that the Department achieves balanced policy solutions that maintain critical spectrum-dependent mission capabilities for our warfighters while addressing the economic value of spectrum to be auctioned for commercial services.

SPECIAL OPERATIONS FORCES

*Question.* The previous two Quadrennial Defense Reviews have mandated significant growth in our Special Operations Forces and enablers that directly support their operations.

Do you believe that we should further increase the number of special operations personnel? If so, why, and by how much?

Answer. I believe that completing the QDR 2006 and 2010-directed growth in Special Operations Forces (SOF) and Combat Support and Combat Service Support personnel will posture U.S. Special Operations Command (SOCOM) to conduct the range of anticipated operations effectively in the future. These forces will continue to require Service provided enablers to sustain the level of mobility, ISR, fires, and medical evacuation, in differing mixtures, based on the operational environment.

*Question.* In your view, how can the size of SOFs be increased while also maintaining the rigorous recruiting and training standards for special operators?

Answer. Experience has shown that SOF manpower growth of 3–5 percent annually can be sustained and has not diluted the force or outpaced the required training

and support structure. In my view, SOCOM has done an excellent job of adjusting its processes to maintain the quality of SOF operators and support personnel during this current era of SOF growth.

*Question.* In recent years, SOFs have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated changes to the activities of SOCOM's enumerated in section 167 of title 10 to more specifically track the activities SOFs are carrying out around the world.

Do you believe any modifications to SOCOM's title 10 missions are appropriate? If so, what modifications would you suggest?

Answer. The Department uses a range of processes, including the development of the Unified Command Plan, to review the mission sets and responsibilities it assigns to SOCOM on an ongoing basis. Additionally, the language in section 167 of title 10, U.S.C., includes "such other activities as may be specified by the President or the Secretary of Defense," which provides the President and the Secretary of Defense the flexibility needed to meet changing circumstances. Hence, at this time I would not advocate significant changes to SOCOM's title 10 missions.

*Question.* What can be done to ensure that indirect special operations missions with medium- and long-term impact, such as unconventional warfare and foreign internal defense, receive as much emphasis as direct action, and that they receive appropriate funding?

Answer. The activities of SOFs are quite varied, from high-risk strikes and counterterrorist raids to working by, with, and through local partners, whether in the form of training and advising foreign counterparts, or providing support to civilian authorities abroad. I believe that each of these missions is highly valued within the Special Operations community. However, as the security landscape has changed, the demands for these kinds of missions have begun to exceed the ability of the Special Operations community alone to meet them. As a remedy to this situation, and consistent with QDR 2010, the Department is building the capacity and capabilities of the conventional forces to be prepared to take on more of the kinds of missions that used to fall exclusively to SOF; for example, Security Force Assistance. I believe that broadening the spectrum of irregular missions that our conventional forces are able to take on will alleviate some burdens on the SOF community and ensure that the Total Force is adequately prepared to undertake and support both direct and indirect missions. I believe that increasing the contribution of conventional forces to these missions will help ensure adequate capabilities overall, and proper balance in both conventional and SOFs.

INTERAGENCY COLLABORATION

*Question.* The collaboration between U.S. SOFs, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. I believe one of the most important lessons learned has been the necessity of close civil-military collaboration at all levels, at the tactical level with organizations such as Provincial Reconstruction Teams (PRT), and Embedded PRTs, as well as unity of effort at the operational and strategic level. Such unity of effort is critical in missions ranging from direct action to building partner capacity. We can facilitate this type of coordination through organizational structures, but much of this is also a cultural issue—making collaboration and coordination part of the ethos of our civil and military institutions. Experiences from recent conflicts have done this to a large degree, although institutionalization can and should be continued.

*Question.* How do you believe these efforts can be improved?

Answer. One of the lessons learned has been the need for close collaboration early on in the planning phase, before a contingency begins. This lesson can and should carry forward to future contingencies. Recent conflicts have also pointed to the need for sufficient capacity and capability within civilian agencies for these kinds of contingency operations.

*Question.* How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future counterinsurgency and counterterrorism operations?

Answer. The DOD has a host of mechanisms for capturing lessons learned and incorporating them into doctrine, such as the Army Center for Lessons Learned, as well as regular updates to Service and Joint doctrine. I believe that DOD has been responsive and adaptive over the past several years of conflict, releasing an updated

joint Army and Marine Corps Field Manual on Counterinsurgency as well as incorporating tactical and operational lessons learned into deployment training and forces deployed. I believe that such efforts should continue and I believe they will serve the Department well in any future contingency.

PRIVATE SECURITY CONTRACTORS

*Question.* In your view, has the U.S. reliance upon private security contractors to perform security functions risked undermining our defense and foreign policy objectives in Afghanistan?

Answer. If confirmed, I will support the Under Secretary of Defense for Acquisition, Technology and Logistics in ensuring the Department's responsibilities in this regard are met. The use of force by contractors or military personnel can, if misapplied, undermine our policy objectives. Contractors for physical security missions have been a necessity in Iraq and Afghanistan and are likely to be so in future contingencies. DOD has established procedures over time to manage these contractors more effectively, in order to prevent unnecessary violence that would be detrimental to our policy objectives. This is an area that requires constant attention and continued supervision to ensure that our policy is appropriate and effective.

*Question.* What steps, if any, would you take, if confirmed, to reduce the Department's reliance upon contractors to perform security functions in Afghanistan?

Answer. If confirmed, I would work to facilitate the transition from private security contractors to the Afghan Public Protection Force. I would also ensure that the combatant commander is furnished with clear policy assuring that private security contractors are only being used where appropriate and necessary. Our commanders on the ground must have authority to restrict security contractors' operations as the situation requires.

*Question.* What steps, if any, would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat operations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?

Answer. If confirmed, I would work with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Joint Staff, the General Counsel of DOD, and combatant commanders to ensure that commanders at all levels understand their responsibilities regarding armed contractors operating in support of them or in their operational area. This includes ensuring commanders are aware of extant legal responsibilities with respect to qualification, training and vetting requirements as well as the limitations on the use of force by these contractors.

I would also work to ensure that combatant commanders are furnished with clear policy assuring that private security contractors are only being used where appropriate and necessary. Our commanders on the ground must have authority to restrict security contractors' operations as the situation requires.

*Question.* Do you support the extension of the Military Extraterritorial Jurisdiction Act to private security contractors of all Federal agencies?

Answer. I support steps to ensure that there is legal accountability for the actions of all contractors performing work for the U.S. Government in an area of combat operations. If confirmed, I will support DOD efforts to work with our interagency partners to build appropriate mechanisms to ensure such accountability.

DETAINEE TREATMENT POLICY

*Question.* Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes, I do.

*Question.* Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes.

*Question.* If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

*Question.* Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact

on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Yes. I believe that DOD and more broadly U.S. leadership should be mindful of multiple considerations when developing standards for detainee treatment, including that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts.

INTERROGATION POLICY

*Question.* In answer to questions for the record at his nomination hearing last June, Secretary Panetta stated that he fully supported President Obama's decision to establish the Army Field Manual 2–22.3 as the single interrogation standard applicable to all interrogations by U.S. Government personnel. Secretary Panetta also stated that he did not support a set of classified interrogation methods that are not open to public scrutiny.

Do you agree with Secretary Panetta that the Army Field Manual 2–22.3 should serve as the single interrogation standard for all interrogations conducted by U.S. Government personnel?

Answer. Yes.

*Question.* Do you agree with Secretary Panetta in not supporting a set of classified interrogation methods?

Answer. Yes.

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 USD(P)?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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## [Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR MARK BEGICH

ARTIC POLICY

1. Senator BEGICH. Dr. Miller, I recently wrote you a letter regarding the Department of Defense's (DOD) Arctic Policy. I appreciated your response which talked about collaboration with the Department of Homeland Security strategy for investment in required Arctic capabilities and recognition of Alaska's strategic location. I also appreciated your strong closing in the letter of support accession to the Law of the Sea Convention. If confirmed, will you continue to support accession? Please describe how accession would benefit DOD's Arctic policy.

Dr. MILLER. If confirmed, I will continue to support strongly U.S. accession to the 1982 Law of the Sea Convention (LOSC).

With respect to the Arctic, we recognize that the United States has broad and fundamental national security interests in the region and is prepared to operate in conjunction with other nations when possible, and independently if necessary, to safeguard these interests. DOD's Arctic Report states that our strategic objectives are to prevent and deter conflict, and to prepare to respond to a wide range of challenges and contingencies. U.S. accession to the 1982 LOSC would benefit DOD's Arctic Policy to the extent that all Arctic nations support the use of existing mecha-

nisms within the framework of existing international law, including as reflected in the 1982 LOSC. As we look toward a peaceful opening of the Arctic accompanied by a projected increase of human and economic activity there, the LOSC would assist in addressing a range of issues likely to arise, including maritime delimitation, shipping lane management, and extended continental shelf claims. The LOSC could thereby help deter conflict.

Further, as we prepare to respond to a wide range of challenges and contingencies worldwide, protecting our navigational freedoms enshrined in the LOSC are key. The current status of the United States as a non-Party requires us to assert our rights through customary international law, subject to change based on state practice—whereas treaty law remains the firmest foundation underpinning navigational freedoms.

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## QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

### ASIA-PACIFIC STUDY

2. Senator MCCAIN. Dr. Miller, on March 23 2012, DOD responded to the direction of Congress as provided in section 346 of the NDAA for Fiscal Year 2012 by contracting for an independent study of the force posture of U.S. military forces in the Asia-Pacific region. If confirmed, would you be committed to ensuring this committee receives an objective, independent assessment, free of any type of restriction imposed by DOD?

Dr. MILLER. Yes, I am committed and, if confirmed, will remain committed to ensuring this committee receives an objective, independent assessment, free of any type of restriction imposed by DOD.

3. Senator MCCAIN. Dr. Miller, are you aware of any terms of reference or guidance provided to the independent agency that deviates in any way from congressional intent? If so, please explain.

Dr. MILLER. No. The Department provided additional guidance to the entity conducting the independent study, but I am confident that guidance is consistent with congressional intent. The Department requested the independent entity to provide Congress with a preliminary independent assessment of the Department's current U.S. Marine Corps realignment plan. Although this preliminary independent assessment is not required by section 346 of the National Defense Authorization Act for Fiscal Year 2012, the Department submitted the preliminary independent assessment to provide Congress with an assessment of proposed posture changes currently under consideration with the Government of Japan.

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## QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

### DEFENSE POW/MIA OFFICE

4. Senator CHAMBLISS. Dr. Miller, if confirmed, you will have authority over the Defense Prisoner of War (POW)/Missing in Action (MIA) Office, or DPMO. I have a particular interest in POW/MIA issues due to my position as a member of the U.S.-Russia Joint Commission on POW/MIAs, the U.S. side of which is administratively under DPMO. I know that POW/MIA issues can be challenging given the difficulty of getting to some of the investigation sites, the limited amount of people devoted to the problem, and the enormity of the task—given that DOD is responsible for accounting for all U.S. POW/MIAs back to World War II. I know from experience that the people involved with this issue, obviously including the family members of those missing, are extremely passionate and also extremely hard-working. If confirmed, will you make a point to look into how DOD handles POW/MIA accounting issues and do everything you can to make sure that mission is properly resourced and absolutely as effective as possible?

Dr. MILLER. If confirmed, I will continue to advocate for appropriate resources and support efforts to account for our missing Service personnel. All DOD organizations have been receiving increased scrutiny to ensure resources are employed efficiently. At the same time, in response to the National Defense Authorization Act for Fiscal Year 2010, the Department has increased resources, both manpower and personnel, for the U.S. Pacific Command's Joint POW/MIA Accounting Command (JPAC), and we are seeing growth in this mission. In fiscal year 2012, this included a $30 million plus-up for JPAC for increased capacity. Also, JPAC is in the process of hiring additional personnel and establishing a second laboratory in the continental United States, which should increase the pace at which remains are recovered and identi-

fied. We have increased efforts to research losses from World War II, collect DNA reference samples from families of missing Service personnel and developed new methodologies to help identify remains of unknown Service personnel interred in National Cemeteries.

5. Senator CHAMBLISS. Dr. Miller, will you look into the relationship between DPMO and the U.S.-Russia Joint Commission on POW/MIAs including how DPMO currently does and should provide support to the U.S. side of the U.S.-Russia Joint Commission on POW/MIAs, and ensure that the Commission is getting the appropriate support to carry out its mission and that any DOD personnel and resources intended to support the work of the Commission are used for that purpose?

Dr. MILLER. Yes, I will ensure that the U.S.-Russia Joint Commission on POW/MIAs receives the appropriate support to carry out its mission. The Commission is comprised of relatively senior U.S. Officials, including yourself. However, most of the personnel accounting effort is carried out in Russia by the Defense POW/Missing Personnel Office (DPMO), which has a statutory responsibility to account for missing personnel through its Joint Commission Support Directorate (JCSD). DPMO/JCSD conducts research, analysis, and investigations in Russia on U.S. personnel missing from past wars. The preponderance of this work is from material collected from Russian archives, interviews with Soviet/Russian veterans, and field investigations. Additionally, DPMO/JCSD searches for information in the U.S. archives on missing Russian personnel (or assists the Russians in conducting such searches) and intends to work with the planned Russian support office to be established at the Russian Embassy in Washington, DC.

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## QUESTIONS SUBMITTED BY SENATOR SCOTT P. BROWN

### ACQUISITION AND DEPLOYMENT OF DEFENSE SYSTEMS

6. Senator BROWN. Dr. Miller, does the acquisition and deployment of area defense systems remain important to U.S. defense strategy, especially in regions where our potential adversaries possess significant armored or maritime forces?

Dr. MILLER. Yes, it remains important to the U.S. defense strategy. The Department is always reviewing its capacity to defend against emerging threats to determine what improvements can be made to existing systems and where we need to invest in new technologies.

### SENSOR-FUZED WEAPON

7. Senator BROWN. Dr. Miller, if international advocacy groups are successful in breaking the supply chain for the Sensor-Fuzed Weapon, what are the materiel, cost, and humanitarian implications for U.S. contingency planning and warfighting strategy in the Korean Peninsula and Persian Gulf regions?

Dr. MILLER. Cluster munitions, employed in accordance with the laws of war, are legitimate weapons with clear military utility. They provide a distinct advantage against a range of targets and can result in less collateral damage than unitary weapons. There remains a military requirement to engage area targets that include massed formations of enemy forces, individual target dispersed over a defined area, targets whose precise locations are not known, and time-sensitive or moving targets.

The Department considers a range of future scenarios when assessing the ability of programmed forces to accomplish key missions. These assessments include evaluations of programmed stocks of munitions. The Department's programmed inventory of Sensor-Fuzed Weapons is sufficient to meet currently anticipated requirements.

8. Senator BROWN. Dr. Miller, what would the implications be for U.S. allies that have current, pending, and prospective Foreign Military Sales agreements with our Government?

Dr. MILLER. U.S. Government exports the CBU–105 consistent with the requirements of section 7056 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (Public Law 111–8, Division H), which provides that, for purposes of military assistance, defense export licensing, and technology sales or transfers, cluster munitions must "have a 99 percent or higher functioning rate." If the supply chain is broken, our allies may decide to keep their older munitions beyond their service life until suitable replacements are acquired and/or developed. The Department has not identified any potential alternatives for U.S. allies should U.S. industry be unable to produce the Sensor-Fuzed Weapon.

9. Senator BROWN. Dr. Miller, is DOD equipped to counter such campaigns, whether it is the current one against the Sensor-Fuzed Weapon or a looming one against armed drones? If so, how is DOD doing this?

Dr. MILLER. Any campaign focused on the U.S. defense industrial base is a complex issue. Protecting the U.S. defense industrial base and national security interests is a major priority and requires the DOD to collaborate effectively with other Federal executive departments and agencies, as well as with Congress. We must ensure that we thoroughly understand the potential risks and communicate those risks to our defense industry partners. We seek to work closely with our defense industry partners to protect our domestic industrial capabilities. We also must explain to the public that the weapons at issue are legitimate, and their proper use fully consistent with both international law and our values as a Nation.

10. Senator BROWN. Dr. Miller, many of DOD's current inventories of weapons do not meet the DOD policy of less than 1 percent unexploded ordnance. Since the policy states that non-compliant weapons will not be employed after 2018, please explain DOD's plans and programs (to include budget lines and funding profiles) to replace or upgrade these weapons.

Dr. MILLER. I would defer to the acting Under Secretary of Defense for Acquisition, Technology, and Logistics for the specifics, but I believe the Guided Multiple Launch Rocket System (GMLRS) Alternative Warhead (AW) will replace the existing inventory of M26/M26A1/M26A2 dual-purpose, improved conventional munition (DPICM) rockets with a DOD cluster munitions policy-compliant system. As you may know, the GMLRS AW is a precision-guided, area suppression weapon system with a required maximum range of 70 km.

Completion of development of the GMLRS AW will occur in 2015 with an initial operational capability (IOC) of 324 GMLRS AW rockets scheduled for early 2017. The GMLRS AW is fully funded with $159.6 million programmed for development. The GMLRS AW will be integrated into the GMLRS rocket production line in 2016 with a remaining $1.35 billion programmed for procurement through 2022. The Army GMLRS Procurement Objective (APO) is for 43,560 rockets.

A policy-compliant cannon DPICM replacement for M483 and M864 155mm DPICM projectiles and the M39 Army Tactical Missile System (ATACMS) Anti-Personnel/Anti-Material (APAM) missiles is being evaluated. The intent is to capitalize on the GMLRS AW for potential technology reuse for application to a 155-mm cannon DPICM and ATACMS APAM replacement.

The Joint Standoff Weapon (JSOW) program is developing a modification plan and cost estimate to replace the non-compliant JSOW–A submunitions (BLU–97) weapon with an alternate warhead (BLU–111), while retaining the JSOW's area effect capabilities after 2018. The JSOW–A modification program is not a program of record, and I understand that no decision to fund or pursue this option has been made by the Department of the Navy.

11. Senator BROWN. Dr. Miller, can you reaffirm the U.S. position that the BLU–108 is the submunition of the Sensor-Fuzed Weapon, because it is a conventional munition released by a cluster munition and functions by detonating an explosive charge before impact?

Dr. MILLER. I defer to the acting Under Secretary of Defense for Acquisition, Technology, and Logistics for the specifics, but I believe that the Department has assigned a Bomb Live Unit (BLU) designation (BLU–108) to the Sensor-Fuzed Weapon submunition. The BLU designation identifies a component of a U.S. cluster munition as a submunition. We have not assigned a BLU or similar designation to any other component of the Sensor Fuzed Weapon. Therefore, as I understand it, the U.S. position is that the BLU–108 is the Sensor-Fuzed Weapon submunition.

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## QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

### CONTRACTING WITH ROSOBORONEXPORT

12. Senator AYOTTE. Dr. Miller, are you aware of Rosoboronexport's activities in Syria and how that company, which is affiliated with the Russian Government, has continued to arm the Assad regime and enable that regime's murder of its own citizens?

Dr. MILLER. I cannot go into detail in an unclassified setting, but can say that Russia remains a top supplier of weapons to Syria. Recent press articles reported that several cargo ships used by Rosoboronexport have delivered cargo to Syria.

Other press reporting indicates that Rosoboronexport signed a deal with the Syrian Government in January to sell 36 military aircraft.

13. Senator AYOTTE. Dr. Miller, what business is DOD conducting with Rosoboronexport?

Dr. MILLER. Rosonboronexport is a Russian Federation state-owned enterprise which, under Russian law, has authority over export of Mi-17 aircraft that are purchased for military use. To support the U.S. strategy to build the Afghan Air Force and thus facilitate a transition to Afghan National Security Forces taking full responsibility for the security of Afghanistan by the end of 2014, the Department has procured Mi-17 aircraft, spare parts for maintenance, and engineering support services. This includes documentation which is available only from Rosoboronexport.

14. Senator AYOTTE. Dr. Miller, is it correct that DOD is purchasing helicopters from Rosoboronexport for use in Afghanistan?

Dr. MILLER. Yes. In May 2011, the Army entered into a contract with Rosoboronexport for 21 Mi-17 helicopters for use in Afghanistan. Under Russian Law, Rosoboronexport is the sole entity controlling export of military use Mi-17 helicopters. The contract includes purchase of spare parts and engineering support and contains an option for 12 attrition replacement aircraft.

15. Senator AYOTTE. Dr. Miller, do you believe it is appropriate to be paying taxpayers' dollars to a Russian company that is arming Assad and enabling his murder of over 8,000 civilians?

Dr. MILLER. Administration officials have repeatedly made it clear to senior Russian leaders that the administration does not support Russian arms shipments to the Assad regime while the regime engages in violence against their people. The helicopter contact with the Russian company Rosoboronexport reflects our commitment to balance between the two national security priorities of equipping the Afghan National Security Forces with the necessary equipment to transition security responsibilities, and finding ways to isolate the Assad regime in Damascus.

DIGITAL POLICY

16. Senator GRAHAM. Dr. Miller, how would you deliver a more holistic approach to administer and govern digital policy?

Dr. MILLER. DOD has a critical role in developing and executing the Nation's approach to cybersecurity. An integrated and coordinated communications effort across the Department is vital to our overall cyber efforts. The DOD Strategy for Operating in Cyberspace (DSOC) is an important milestone for the Department and is the first unified strategy for operating in cyberspace. This cyber strategy combines and institutionalizes previous DOD efforts, statements and initiatives into formal Department policy. It also provides a framework for future Department priorities for operating in cyberspace and establishes clear guidelines for the Department and its components to comprehensively approach operations in cyberspace.

DOD efforts under the DSOC can be organized into five strategic initiatives: (1) Treating cyberspace as an operational domain so that DOD can organize, train, and equip; (2) Employing new defense operating concepts; (3) Partnering with the interagency and private sector; (4) Working with allies and international partners to increase cybersecurity; and (5) Leveraging our talent and technological capacity. These five important initiatives are centrally managed under the Cyber Integration Group, which consists of members from across DOD. This group, which I have co-chaired along with a Joint Staff counterpart, provides a unifying framework for coordinating and synchronizing cyber activities across the Department in a holistic fashion.

In addition to the Cyber Integration Group, DOD has also recently established a senior-level Cyber Investment Management Board (CIMB) to integrate processes and align strategies, resources, and governance for cyber warfare capability acquisition across DOD. The CIMB will address the Department's cyber requirements, R&D, and acquisition processes and will support other governance groups, including the Defense Management Action Group and the Cyber Integration Group, by providing status updates, metrics, and portfolio information. The CIMB will also serve as the oversight body for Cyber Science and Technology funding.

QUESTIONS SUBMITTED BY SENATOR JOHN CORNYN

SYRIA AND CONTRACTING WITH ROSOBORONEXPORT

17. Senator CORNYN. Dr. Miller, do you agree that the Assad regime has committed acts of mass murder against its own people during the Syrian uprisings that began in March 2011?

Dr. MILLER. The situation is tragic for the people of Syria and for the region. Democratic reform should have been the Assad regime's response to the uprisings that began in March 2011. Instead the regime has responded with brutality and violence towards its own citizens.

18. Senator CORNYN. Dr. Miller, do you believe these actions also constitute crimes against humanity?

Dr. MILLER. There is no question that violence towards the people of Syria has been brutal and devastating. The actions of the Assad Government have outraged all good people. The United States has made clear that the Assad regime has lost its legitimacy and that this crisis has no effective solution without Assad's departure. As the President has stated, Assad must go. I will defer to my counterparts at the Department of State on specific judgments as to whether these actions constitute crimes against humanity.

19. Senator CORNYN. Dr. Miller, are you aware of Rosoboronexport's history of arms sales to Syria?

Dr. MILLER. Yes, I am aware that in recent years Rosoboronexport has been a primary provider of military weapons and equipment to Syria, with the press reporting estimated sales totaling $4.7 billion from 2007–2010.

20. Senator CORNYN. Dr. Miller, are you aware that the U.S. Government has sanctioned Rosoboronexport in the past for providing illicit support to Iran's military?

Dr. MILLER. Yes. DOD's effort to support Afghan Mi-series aircraft was shaped to abide by the State Department sanctions, which were in place until late spring 2010.

21. Senator CORNYN. Dr. Miller, are you aware that this firm has continued to supply weapons to Syria during the crackdown?

Dr. MILLER. It is my understanding that there have been deliveries of weapons and supplies to Syria from several counties, to include Russia. Recent press reporting indicates that several cargo ships used by Rosoboronexport have delivered arms and supplies to Syria since the beginning of 2012. Separate reporting indicates that Rosoboronexport signed a deal with the Syrian government in January to sell 36 military aircraft.

22. Senator CORNYN. Dr. Miller, what types and quantities of weapons has Rosoboronexport delivered to Syria, directly or indirectly, since the Syrian uprisings began in March 2011?

Dr. MILLER. There is a great deal of reporting in the open press on recent Russian arms deliveries to Syria. I would be pleased to provide additional assessments through classified channels. Russia has a series of ongoing contracts to provide Syria with advanced conventional weapons.

23. Senator CORNYN. Dr. Miller, do you have concerns about DOD's ongoing business dealings with Rosoboronexport? If so, what are those concerns?

Dr. MILLER. Regarding DOD's ongoing business with Rosoboronexport, my concern is that the firm delivers the remaining Mi-17 helicopters ordered for the Afghan National Security Forces on schedule, within the budget, and in the mission-ready configuration as specified in the requirement. At the same time, I am concerned by Russia's provision of arms to the Assad regime while they perpetrate brutal violence against their own people. The administration has urged senior Russian officials to suspend all deliveries of arms to Syria until the violence ends.

24. Senator CORNYN. Dr. Miller, which other Russian entities have transferred weapons to Syria since the Syrian uprisings began in March 2011?

Dr. MILLER. To the best of my understanding, Rosoboronexport, as Russia's state-authorized exporter of military use equipment and technology, is responsible for weapon contracts with Syria. It is possible that other Russian-connected entities have also been involved.

25. Senator CORNYN. Dr. Miller, what types and quantities of weapons have these entities delivered during that time?

Dr. MILLER. I do not have specifics on the exact types and quantities of weapons that these entities may have delivered. There has been reporting in the press of Russian transfers of air defense weapons as well as small arms to the Syrian regime. I would be pleased to provide additional assessments through classified channels.

26. Senator CORNYN. Dr. Miller, President Obama stated on February 3, 2011, that: "Assad must halt his campaign of killing and crimes against his own people now. . . . The suffering citizens of Syria must know: we are with you, and the Assad regime must come to an end." Do you agree with President Obama's statement?

Dr. MILLER. Yes. The United States is committed to holding the Syrian regime to its obligations. The United States is leading an international effort to help stop the violence and support a peaceful political transition in Syria. U.S. policy toward Syria is clear: we support a political and democratic transition that fulfills the Syrian people's aspirations.

27. Senator CORNYN. Dr. Miller, do you agree that Russian arms transfers to the Assad regime have been a key enabler of that regime maintaining power in Syria?

Dr. MILLER. Any transfer of weapons to the regime from sources outside of Syria could enable the regime to continue to maintain power. I am concerned about any weapons transfers and DOD monitors this issue closely. The Department has raised our concerns about the Russian delivery of weapons to Assad regime.

28. Senator CORNYN. Dr. Miller, do you agree that the United States has an obligation to use all of its leverage to pressure Russia and Russian entities to end their support of the Assad regime?

Dr. MILLER. The United States is pressing the Russians through diplomatic channels to help end the violence in Syria with a view to a transition of power. Russia has a long standing relationship with Syria, and should be able to influence the actions of the Assad Government.

29. Senator CORNYN. Dr. Miller, do you agree that DOD has the ability to sever all current contractual relationships with Rosoboronexport?

Dr. MILLER. Because the Department retains the right to terminate all of its contracts, the contractual relationships with Rosoboronexport can also be terminated. There are, however, two ways in which the United States benefits from this relationship: by being assured proper Mi-17 delivery and support to the Afghan Air Force; and by obtaining accurate engineering information for the Mi-17s to ensure safe air operations for the Afghans and for the U.S. aircrews and passengers who utilize these aircraft.

30. Senator CORNYN. Dr. Miller, do you agree that continuing to do business with Rosoboronexport undermines U.S. policy regarding Syria?

Dr. MILLER. DOD's business with Rosoboronexport is strictly limited to acquiring Mi-17 helicopters and sustainment packages for the Afghan National Security Forces. This helicopter continues to provide excellent performance in the harsh operating climates of Afghanistan and is relatively easy to operate and maintain by the Afghans. Despite the decision to acquire Mi-17s from Rosoboronexport, DOD continues to evaluate U.S.-manufactured alternatives that could provide a similar capability.

31. Senator CORNYN. Dr. Miller, who in the administration directed that procurement of Mi-17 helicopters must be done using Rosoboronexport as broker?

Dr. MILLER. The Army was designated as the Lead Military Department for Mi-17 and other non-standard rotary wing aircraft in January 2010 by the then-Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), Dr. Ashton B. Carter. The Combined Airpower Transition Force/438th Expeditionary Wing documented the need for these aircraft to support development of an Afghan National Army Air Corps (now known as the Afghan Air Force) to support the ability of Afghan National Security Forces to take full responsibility for the security of Afghanistan.

U.S. efforts to provide and support Mi-17s prior to May 2010 were limited to purchases of civilian-variant Mi-aircraft in a world marketplace. This approach slowed the development of Afghan capability because it necessitated costly modifications and severe flight limitations due to a lack of comprehensive engineering data. Discussions with the Russian Government between August and December 2010 estab-

lished—as was later confirmed through diplomatic channels—that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the only source of complete engineering data. This situation led to USD(AT&L)'s December 2010 decision to transfer the procurement responsibility for 21 Mi-17s from the Naval Air Systems Command to the Army.

The Secretary of the Army (as Agency Head) authorized award of a contract for the Mi-17s based on the public interest exception to full and open competition. This decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet the robust requirements of operations in Afghanistan. This action was in compliance with title 10 U.S.C. 2304(c)(7) and the Federal Acquisition Regulations (FAR 6.302–7) and the congressional defense committees were notified consistent with the statute prior to contract award.

32. Senator CORNYN. Dr. Miller, the June 1, 2011, Army contract was a no-bid contract. What justification existed for not awarding this contract through an open and competitive selection process?

Dr. MILLER. The Secretary of the Army (as Agency Head) authorized award of a contract for the Mi-17s based on the public interest exception to full and open competition. This decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet the significant operational requirements in Afghanistan. This action was in compliance with title 10 U.S.C. section 2304(c)(7) and the Federal Acquisition Regulations (FAR 6.302–7) and the congressional defense committees were notified consistent with the statute prior to contract award.

33. Senator CORNYN. Dr. Miller, do you agree that the Obama administration's policy of trying to reset bilateral relations with Russia was a major factor in the decision to award this June 1, 2011, no-bid contract to Rosoboronexport, a state-controlled firm that is essentially an arm of the Russian Government?

Dr. MILLER. No. The primary purpose for initiating discussions with the Russian Federation following the lifting of sanctions in 2010 was to obtain access to authentic engineering data to support Mi-17 airworthiness. Discussions with the Russian government between August and December 2010 established -as was later confirmed through diplomatic channels—that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the only source of complete engineering data. This situation led to USD(AT&L)'s December 2010 decision to transfer the procurement responsibility for 21 Mi-17s from the Naval Air Systems Command to the Army.

The Secretary of the Army (as Agency Head) authorized award of a contract for the Mi-17s based on the public interest exception to full and open competition. This decision was based on the need to provide a familiar aircraft to the Afghans to support the war effort and the demonstrated capability of the Mi-17 to meet significant operational requirements in Afghanistan. This action was in compliance with 10 U.S.C., section 2304(c)(7), and the Federal Acquisition Regulations (FAR 6.302–7) and the congressional defense committees were notified consistent with the statute prior to contract award.

34. Senator CORNYN. Dr. Miller, are you aware that Rosoboronexport is not the actual manufacturer of Mi-17 helicopters, but only a broker?

Dr. MILLER. Yes. In meetings with the Russian Federal Service for Military-Technical Cooperation, U.S. representatives were advised that Mi-17 aircraft purchased for military end-use can only be purchased from Rosoboronexport. The prime aircraft manufacturer, Kazan, as well as Rosoboronexport, participated in subsequent contract negotiations.

35. Senator CORNYN. Dr. Miller, when will delivery of the initial 21 Mi-17 helicopters procured under the June 1, 2011, Army contract be completed?

Dr. MILLER. The delivery should be completed in June—15 of the 21 aircraft have been delivered, and the remaining 6 aircraft are on schedule to be delivered to the Afghan Air Force at the end of June 2012.

36. Senator CORNYN. Dr. Miller, under the June 1, 2011, Army contract with Rosoboronexport for the purchase of 21 Mi-17 helicopters and spare parts, has the $550 million option for additional Mi-17s been exercised? If so, on what date was it exercised?

Dr. MILLER. The option provides for up to 12 aircraft at a range of pre-negotiated prices that depend on the desired delivery date. In order to replace two aircraft de-

stroyed in accidents, two aircraft with initial spares, tools, and technical publication support were ordered for $33.4 million in February 2012. The NATO Training Mission-Afghanistan (NTM–A) has also identified the need for 10 aircraft to replace Mi-17s that are nearing their life limited flight hours. The DOD Afghanistan Resources Oversight Council, which was established in compliance with congressional direction, reviewed and approved NTM–A's request and funding source. The 10 aircraft option, including initial spares, tools, and technical publications is planned to be exercised in the fourth quarter of fiscal year 2012.

The $550 million cost cited in the question is the ceiling price for both the 21 aircraft baseline and the 12-aircraft option.

37. Senator CORNYN. Dr. Miller, if the option has not been exercised yet, does DOD/Army intend to exercise it? If so, what is approximate timeframe for that?

Dr. MILLER. The option provides for up to 12 aircraft at a range of pre-negotiated prices that depend on the desired delivery date. In order to replace two aircraft destroyed in accidents, two aircraft with initial spares, tools, and technical publication support were ordered for $33.4 million in February 2012. The NTM–A has also identified the need for 10 aircraft to replace Mi-17s that are nearing their life limited flight hours. The DOD Afghanistan Resources Oversight Council, which was established in compliance with congressional direction, reviewed and approved NTM–A's request and funding source. Exercise of the 10 aircraft option, including initial spares, tools, and technical publications is planned in the fourth quarter of fiscal year 2012 at a projected price of $184.3 million.

38. Senator CORNYN. Dr. Miller, once delivery of the last of the initial 21 aircraft to be procured under this contract is complete, how many additional Mi-17s does DOD/Army anticipate needing to buy in order to round out the Afghan rotary aircraft requirement?

Dr. MILLER. The planned inventory requirement for the Afghan Air Force is met by the delivery of the 21 aircraft. However, two other crash-damaged aircraft are planned to be replaced. Additionally, the Afghan Air Interdiction Unit, which is being transformed to a Special Operations Unit, also operates 30 Mi-17 aircraft. No further purchases are planned at this time, but procurements will be needed to sustain inventory levels, because Mi-17s must be overhauled at a depot at specific flight hour limits. The number of overhauls is limited and aircraft that have no further flight hour availability must be replaced. The NTM–A recently identified 10 Afghan Air Force aircraft for funded replacement. Those 10 plus the 2 crash damage replacements can be accommodated using the priced option on the existing contract. The DOD Afghanistan Resource Oversight Council is also currently considering NTM–A-proposed alternatives to replace aircraft for the Special Operations Unit.

39. Senator CORNYN. Dr. Miller, do you agree that we have viable alternative routes available to buy these same Mi-17 aircraft, notwithstanding any Russian claims to the contrary?

Dr. MILLER. As confirmed by working with the Department of State and consulting bilaterally with Russian officials, Rosoboronexport's control over exports of Mi-17 aircraft intended for military purposes is part of Russian law. Delivery from within the Russian Federation could be blocked by Rosoboronexport even if others are able to purchase the Mi-17s. More importantly, the United States needs access to Kazan, the prime aircraft manufacturer, for accurate engineering support and data to ensure safe operations and maintenance and airworthiness on behalf of Afghan and U.S. personnel who utilize these aircraft.

40. Senator CORNYN. Dr. Miller, are you aware that in 2009 the Navy legally purchased four of these same dual-use Mi-17 helicopters through a private U.S. broker after an open and competitive selection process?

Dr. MILLER. I am aware that the Navy purchased civilian variants of the Mi-17 through a U.S. broker in 2009 and modified them to a viable configuration at additional cost. This contract was awarded after prior discussions with the Russian government that established—as was later confirmed through diplomatic channels—that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the only source of complete engineering data.

41. Senator CORNYN. Dr. Miller, are you aware that these four helicopters are still flying today, presently in service with the NATO Air Training Command-Afghanistan?

Dr. MILLER. Yes. Maintenance and engineering support for these aircraft is provided by the Army Program Manager for Non-Standard Rotary Wing Aircraft.

(Please note that the NATO Air Training Command is a component of the NATO Training Mission-Afghanistan.)

42. Senator CORNYN. Dr. Miller, are you aware that, after the successful 2009 procurement of Mi-17s, the Navy initiated a similar effort to procure 21 additional Mi-17s through an open and competitive selection process?

Dr. MILLER. Yes. At that time, the Army's Non-Standard Rotary Wing Aircraft Program was still being staffed and beginning operations and the Navy was tasked to procure these aircraft. The USD(AT&L) directed the Navy to cease these efforts following the discussions with the Russian Federation that established Rosoboronexport's role regarding Mi-17 exports. This responsibility was then transferred to the Department of the Army.

43. Senator CORNYN. Dr. Miller, are you aware that, on December 16, 2010, DOD put an end to that by transferring procurement authority for these 21 aircraft from the Navy to the Army?

Dr. MILLER. Yes. The decision to transfer procurement authority to the Army was based on a determination, confirmed through diplomatic channels, that Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the only source of complete engineering data. The need for complete engineering data would not have been addressed in the Navy's planned Naval Air Systems Command contract.

44. Senator CORNYN. Dr. Miller, how is a no-bid contract with Rosoboronexport preferable to a competitively awarded contract with a private U.S. broker?

Dr. MILLER. The decision to contract with Rosoboronexport was based on several criteria. Critically, the contract ensured DOD access to the manufacturer's engineering expertise and direct support for determinations regarding the operation, maintenance, and airworthiness of these aircraft.

A broker not authorized by the manufacturer would lack access to the latest safety updates and therefore would be unable to sustain the airworthiness of the Mi-17s. Moreover, the contract with Rosoboronexport delivers aircraft modified with the necessary equipment to facilitate interoperability with U.S. platforms. Previous deliveries from a broker have required subsequent modifications at increased cost. By contracting with Rosoboronexport, the United States is assured that export of these aircraft for their intended military use will not be blocked. Finally, the United States was advised that under Russian law, Rosoboronexport is the sole entity controlling export of military-use Mi-17 helicopters and the only source of complete engineering data.

45. Senator CORNYN. Dr. Miller, at your confirmation hearing, Senator Blumenthal asked you about DOD's efforts to find other helicopters that could be used, specifically asking if there is "an effort underway in development." You responded, "Senator, yes there is." Please describe what DOD has previously done and is currently doing to find alternatives.

Dr. MILLER. A 2010 study led by the Office of the Secretary of Defense and the Joint Staff examined the worldwide need for rotary-wing aircraft for Security Force Assistance, particularly in the instances where building partner nation capacity was involved. The study examined alternatives for meeting these requirements, including domestic source alternatives. Since this study was done, there have been successes in transitioning to U.S. helicopters in the case of partner nations. One example is Iraq, which has purchased an armed variant of the Bell 407 helicopter. I understand that DOD briefed key members of the congressional defense committees on this study.

In Afghanistan, six MD 530F helicopters were recently delivered to serve as training aircraft for Afghan forces to begin a transition to more sophisticated rotary wing aircraft. However, the unique situation on the ground precludes a near-term transition to a U.S. alternative to the Mi-17. The referenced study compared a wide range of alternatives; however, in the high altitudes and hot temperatures of Afghanistan, the Mi-17 has proven successful both in military and civilian operations, and in terms of low procurement and operating cost. The Mi-17 is familiar to the Afghan pilots, aircrews, and maintenance personnel. With low rates of Afghan literacy, recruiting and training additional personnel are difficult and transition to a more sophisticated western aircraft would delay the timeline of the current U.S. strategy.

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[The nomination reference of Hon. James N. Miller, Jr., follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 24, 2012.*

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

James N. Miller, Jr., of Virginia, to be Under Secretary of Defense for Policy, vice Michèle A. Flournoy.

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[The biographical sketch of Hon. James N. Miller, Jr., which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HON. JAMES N. MILLER

*Education:*

Stanford University
- 1977–1981
- B.A. with honors in Economics awarded June 1981

Harvard University
- 1983–1985
- Masters in Public Policy awarded June 1985

Harvard University
- 1985–1988
- Ph.D. in Public Policy awarded March 1989

*Employment Record:*

Department of Defense
- Acting Under Secretary of Defense for Policy
- February 2012–present
- Principal Deputy Under Secretary of Defense for Policy
- April 2009–present

Center for a New American Security
- Senior Vice President and Director of Studies
- February 2007–April 2009

Adaptive Strategies, LLC
- President
- August 2006–present

Center for Strategic & International Studies (CSIS)
- Senior Associate
- October 2006–February 2007

Hicks and Associates, Inc.
- Senior Vice President
- October 2000–February 2007

Department of Defense
- Deputy Assistant Secretary of Defense for Requirements, Plans, and Counterproliferation
- September 1997–0ctober 2000

Duke University
- Assistant Professor of Public Policy
- September 1992–August 1997

U.S. House of Representatives Committee on Armed Services
- Professional Staff Member
- August 1988–August 1992

*Honors and Awards:*

Department of Defense Medal for Distinguished Public Service (June 2011)
Department of Defense Medal for Distinguished Public Service (February 2011)
Department of Defense Medal for Outstanding Public Service (November 2000)
Atlantic Fellow in Public Policy (1995–1996)

[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 Hon. James N. Miller, Jr., 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.)
James Northey Miller, Jr. (Nicknames: Jim, Jimmy).

2. **Position to which nominated:**
Under Secretary of Defense for Policy.

3. **Date of nomination:**
January 24, 2012.

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, 1959; Waterloo, IA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Adele Marie Balk Miller (formerly Adele Marie Balk).

7. **Names and ages of children:**
Allison Northey Miller: 21.
Zoe Adele Miller: 19.
Colin James Miller: 17.
Lucas Eugene Miller: 15.
Adrienne Sara Miller: 11.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Harvard University, 1985–1988. Ph.D. in Public Policy, March 1989.
Harvard University, 1983–1985. Masters in Public Policy, June 1985.
Stanford University, 1977–1981. B.A. with honors in Economics, June 1981.

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.
Acting Under Secretary of Defense for Policy, Room 3E806, Department of Defense, Washington, DC, February 4, 2012–present.
Principal Deputy Under Secretary of Defense for Policy, Room 3E806, Department of Defense, Washington, DC. April 8, 2009–present.

Senior Vice President and Director of Studies, Center for a New American Security, 1301 Pennsylvania Ave NW, Suite #403, Washington, DC, February 2007–present.

President, Adaptive Strategies, LLC, 3701 N. Harrison St., Arlington, VA, August 2006–present. (Sole-person company used for consulting)

President, The Miller Agency, Inc., 2615 W. 4th St, Waterloo, IA, July 2006–December 2009. (Assumed unpaid position upon death of father. The company has since dissolved)

Consulting Employee, SAIC, 1710 SAIC Drive, Mclean, VA, February 2007–November 2008.

Senior Associate, CSIS, 1800 K St., NW, Washington, DC, October 2006–February 2007.

Senior Vice President, Hicks and Associates, Inc., 1710 SAIC Drive, Mclean, VA, October 2000–February 2007. (Started in 2000 as Vice President).

Deputy Assistant Secretary of Defense for Requirements, Plans, and Counterproliferation, Department of Defense, September 1997–October 2000.

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, Defense Science Board Summer Study Task Force on Challenges to Military Operations in Support of National Interests (uncompensated), 2007.

Member, Threat Reduction Advisory Council Panel on Combating Weapons of Mass Destruction (uncompensated), 2006–present.

Consultant to Assistant Secretary of Defense for Strategy and Requirements, Defense Department, June–September 1997.

Consultant to Deputy to the Under Secretary of Defense for Policy, Defense Department, April 1994–April 1995.

Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, June–September 1984 (summer employment).

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.

President, Adaptive Strategies, LLC, 3701 N. Harrison St., Arlington, VA. (Sole-person company used for consulting—in Dormant Status Since April 7, 2009).

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

Member, International Institute for Strategic Studies.

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.

Barack Obama Presidential Campaign: $100 (Nov. 7, 2008).

Barack Obama Presidential Campaign: $1,000 (Oct. 2, 2008)

Hillary Clinton Presidential Campaign: $1,500 (Sept. 26, 2007).

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 (June 2011).

Department of Defense Medal for Distinguished Public Service (February 2011).

Department of Defense Medal for Outstanding Public Service (November 2000).

Member, International Institute for Strategic Studies (2007–present).

Atlantic Fellow in Public Policy (1995–1996).

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

U.S. Can't Risk Slow START, with Ellen Tauscher (Washington, DC: Op-Ed in Politico, September 2010).

Iran: Assessing U.S. Strategic Options, with Christine Parthemore and Kurt M. Campbell (Washington, DC: Center for a New American Security, June 2008).

"Enhancing Synergies and Gaining Efficiencies: Integrating the 'INTs' to Transform Operations and Mission Management," Building Strategic Concepts for the Intelligence Enterprise—Conference Report (Washington, DC: Office of the Director of National Intelligence/Policy, Plans and Requirements, January 2008).

"U.S. Strategic Capabilities for Preventing War: The Way Forward," with Robert Barker (Washington, DC: Los Alamos/Livermore Laboratories Conference on Strategic Weapons in the 21st Century, January 2008).

"Iraq: Response to Max Boot," with Shawn W. Brimley, Commentary (December 2007).

Phased Transition: A Responsible Way Forward and Out of Iraq, with Shawn W. Brimley (Washington, DC: Center for a New American Security, June 2007).

"No More Iraqs," American Security Project, December 6, 2007.

"On the Road to Ruin," Defense News op-ed, with TX Hammes, May 7, 2007.

"Reducing Homeland Security Risks with a Balanced R&D Portfolio: Analytical Tasks & Supporting Methods," Hicks & Associates, Inc. report to Department of Homeland Security, January 2006.

"DART Review of Joint Operating Concepts and Joint Functional Concepts," Defense Adaptive Red Team Report, October 2003.

"Operational Net Assessment: What are the Real Challenges?" Defense Adaptive Red Team Report, March 2003.

"Challenges in Conducting Rapid Decisive Operations," Defense Adaptive Red Team Report, February 2002.

"Red Teaming in Joint Forces Command's Unified Vision 01 Experiment: A Defense Adaptive Red Team (DART) View," Defense Adaptive Red Team Report, August 2001.

"Talking Trash: Analytic Aids for Understanding and Improving Judgments in Landfill Siting Processes," Journal of Policy Analysis and Management, fall 1998, with Marie Lynn Miranda and Timothy L Jacobs.

"Seeking Truth for Power: Integrating Policy and Political Analysis," Working Paper 95–1, Terry Sanford Institute of Public Policy, May 1995, with Frederick W. Mayer.

Approaching Zero: An Evaluation of Radical Reductions in Superpower Nuclear Arsenals, Ph.D. dissertation, Harvard University, March 1989.

"Zero and Minimal Nuclear Weapons," Chapter 1 in Fateful Visions: Beyond Nuclear Deterrence, edited by Graham Allison, Albert Carnesale, and Joseph Nye, Jr., Ballinger Press, 1988.

"How Study Design Affects Outcomes in Comparisons of Therapy. I. Medical," Statistics in Medicine, Vol. 8, 1989, with Graham Colditz and Frederick Mosteller.

"How Study Design Affects Outcomes in Comparisons of Therapy. II. Surgical," Statistics in Medicine, Vol. 8, 1989, with Colditz and Mosteller.

"Measuring Gain in the Evaluation of Medical Technology: The Probability of a Better Outcome," International Journal of Technology Assessment in Health Care, Vol. 4, No. 4, 1988, with Colditz and Mosteller.

"The Effect of Study Design on Gain in Evaluations of New Treatments in Medicine and Surgery," Drug Information Journal, Vol. 22, 1988, with Colditz and Mosteller.

"From Babbling to Speech: A Reassessment of the Continuity Issue," Language, Vol. 61, No. 2, 1985 (numerous coauthors).

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.

The following speeches, though not all inclusive, are a good representation of the material presented as PDUSDP, relevant to the nominated position of USDP. More speeches are available upon request.

"Missile Defense Cooperation", Panel discussion at 12th RUSI Missile Conference, June 15, 2011. [Speech].

"DOD's Nuclear Posture Review Rollout Briefing", Media event at Washington Press Center, April 7, 2010. [Transcript].

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

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[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.]

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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.

HON. JAMES N. MILLER, JR.

This 26th day of March, 2012.

[The nomination of Hon. James N. Miller, Jr., was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Hon. Erin C. Conaton by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I believe that the Goldwater-Nichols Act has greatly contributed to the strong framework for today's joint warfighting capabilities. It has significantly improved interservice and joint relationships, promoting greater effectiveness of the Military Departments and combatant commands.

If confirmed, I would plan to evaluate the joint officer management program to see if a recommendation of any specific changes would be beneficial. But my current sense is that today's system supports the objectives of the Goldwater-Nichols Act.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Currently I am unaware of any areas where modifications are needed. If I am confirmed, I would have an opportunity to assess any further need to legislative modifications, in consultation with the committee.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for this position?

Answer. In general, I bring 14 years of experience working on a range of defense policy issues. As Minority and then Majority Staff Director of the House Armed Services Committee, I was the overall lead for the development of legislation and congressional oversight, including in the areas of personnel and readiness. As Under Secretary of the Air Force and as Chief Management Officer of the Air Force, I have been significantly involved in a range of issues concerning military personnel, civilian personnel, family programs, and readiness. I look forward, if confirmed, to building on these experiences on behalf of the Secretary of Defense and to the benefit of all servicemembers, their families, and our civilian workforce.

MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Under Secretary of Defense for Personnel and Readiness?

Answer. The new defense strategy and more constrained fiscal environment put the highest premium on sustaining the quality and readiness of the total force, particularly our exceptional All-Volunteer Uniformed Force. The new strategy calls for an agile force ready for a broad variety of missions. As we complete the mission transition in Afghanistan, the Military Departments will all face challenges in improving readiness rates and posturing their services for the future security environment. We must also ensure appropriate compensation, health care, and personnel policies that recognize both the service and sacrifice undertaken by our troops and their families and the new budgetary realities.

At the same time, there are programmed reductions in total force military end-strength and continued workforce-shaping initiatives in our civilian force. Retention of the highest quality military and civilian force must be a top priority. For those that will leave service, we have an obligation to ensure each servicemember is as prepared as possible to succeed in civilian life, through a robust Transition Assistance Program and generous benefits. We must maintain the priority placed on the physical and mental health care, as well as the transition assistance, for our wounded, ill, and injured warriors.

Secretary Panetta has rightly placed great focus on the issue of sexual assault. Even one sexual assault is one too many and out of step with the core values of the American military. Additionally and critically, P&R must have a strong role with the Military Departments in continuing to address issues of mental health and suicide that plague too many.

*Question.* If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I plan to ensure I clearly understand the priorities of Secretary Panetta and Deputy Secretary Carter. I would further familiarize myself with the range of policies and issues confronting the Department in these areas. I fully recognize this is a team sport and that substantial progress on these issues cannot be made without leadership and without close partnerships. I intend to work closely with Congress; colleagues in the Office of Secretary of Defense, Joint Staff, and the Military Departments and Services; as well as with critical partners across the inter-agency to make progress on these challenges.

DUTIES

*Question.* Section 136 of title 10, U.S.C., provides that the Under Secretary of Defense for Personnel and Readiness shall perform such duties and exercise such powers as the Secretary of Defense may prescribe in the areas of military readiness, total force management, military and civilian personnel requirements, military and civilian personnel training, military-civilian family matters, exchange, commissary, and non-appropriated fund activities, personnel requirements for weapons support, National Guard and Reserve components, and health affairs.

Assuming you are confirmed, what duties do you expect to be assigned to you?

Answer. If confirmed, I intend to carry out my responsibilities, functions, relationships, and authorities, in accordance with the law and consistent with DOD Directive 5124.2, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))." I would be the Secretary of Defense's principal staff assistant and advisor in all matters relating to the management and well-being of military and civilian personnel in the DOD total force and for oversight of the readiness of this force. I would develop policies and provide oversight for the direction of plans and programs governing total force management as it relates to manpower; force management; planning; program integration; readiness; National Guard and Reserve component

affairs; health affairs; training; personnel requirements and management; and compensation. This also includes equal opportunity, morale, welfare, recreation, and quality of life matters for both civilian and military personnel and their families.

*Question.* In carrying out these duties, what would be your relationship with the following officials:

The Secretary of Defense.

Answer. If confirmed, I expect to serve the Secretary as his principal advisor and advocate for the management of human resources and readiness in the Department.

*Question.* The Deputy Secretary of Defense.

Answer. If confirmed, I would expect my relationship with the Deputy Secretary to be fundamentally the same as that with the Secretary of Defense.

*Question.* The Assistant Secretary of Defense for Health Affairs (ASD(HA)).

Answer. If confirmed, ASD(HA) will be my principal advisor for all DOD health policies, programs, and force health protection activities.

*Question.* The Assistant Secretary of Defense for Reserve Affairs (ASD(RA)).

Answer. If confirmed, ASD(RA) will be my principal advisor for all Reserve component matters in the Department of Defense (DOD).

*Question.* The DOD General Counsel.

Answer. If confirmed, I would anticipate regular communication, coordination of actions, and exchange of views with the General Counsel and the attorneys assigned to focus on personnel policy matters. I would expect to seek and follow the advice of the General Counsel on legal, policy and procedural matters pertaining to the policies promulgated from the P&R office.

*Question.* The DOD Inspector General.

Answer. The DOD Inspector General is in charge of promoting integrity, accountability, and improvement of DOD personnel, programs, and operations to support the Department's mission and serve the public interest. If confirmed, I will fully assist in any investigations or issues that relate to personnel and readiness.

*Question.* The Service Secretaries.

Answer. If confirmed, I would hope to work closely with the Secretaries of the Military Departments on all matters relating to the management well-being, and readiness of military and civilian personnel in the DOD total force structure.

*Question.* The Chief of the National Guard Bureau.

Answer. The Chief, National Guard Bureau is a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense. If confirmed, I look forward to a continued strong relationship, through ASD(RA), to ensure effective integration of National Guard capabilities into a cohesive total force.

*Question.* The Assistant Secretaries for Manpower and Reserve Affairs of the Army, Navy, and Air Force.

Answer. If confirmed, I would intend to further strengthen the partnership with these officials in carrying out the human resource obligations of the Services for the total force.

*Question.* The Deputy Chiefs of Staff of the Army and Air Force for Personnel, the Chief of Naval Personnel, and the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs.

Answer. If confirmed, I intend to partner in effective working relationships with these officers to ensure that DOD attracts, motivates and retains the quality people it needs.

*Question.* The combatant commanders.

Answer. If confirmed, I intend to work to understand the combat needs and total force concerns of these critical commanders.

*Question.* The Joint Staff, particularly the Director for Manpower and Personnel (J–1).

Answer. If confirmed, I intend to partner a close coordinating relationship with the Joint Staff regarding manpower and personnel policy issues.

SYSTEMS AND SUPPORT FOR WOUNDED WARRIORS

*Question.* Servicemembers and civilians who are wounded and injured performing duties in Operations Enduring Freedom, Iraqi Freedom, and New Dawn deserve the highest priority from their Service and the Federal Government for support services, healing and recuperation, rehabilitation, evaluation for return to duty, successful transition from active duty if required, and continuing support beyond retirement or discharge. Yet, as the revelations at Walter Reed Army Medical Center (WRAMC) in 2007 illustrated and as ongoing problems with the Integrated Disability Evaluation System continue to demonstrate, the Services were not prepared to meet the

needs of returning wounded servicemembers and civilians. Despite the enactment of legislation and renewed emphasis, many challenges remain.

What is your assessment of the progress made to date by DOD and the Services to improve the care, management, and transition of seriously ill and injured servicemembers and their families?

Answer. The Office of Wounded Warrior Care and Transition Policy was established by Congress to ensure wounded, ill, injured, and transitioning servicemembers receive quality care and seamless transition support through proactive leadership, responsive policy, effective oversight and interagency collaboration.

The Department and Department of Veterans Affairs (VA) have made some progress by reducing overall disability evaluation time from 500 days to under 400 days and reducing the post-separation wait for VA disability. However, much work remains to be done. If confirmed, this will be a top priority. I will continue the effort to ensure a seamless transition from recovery to reintegration for our wounded, ill or injured. Additionally, I would continue the Department's collaborative efforts with the VA on compensation and benefits, transition assistance and care coordination. I would look forward to working with Congress on this critical issue.

*Question.* What are the strengths upon which continued progress should be based?

Answer. The greatest strength is the Department's commitment to take care of its wounded warriors and their families. That commitment should guide continued efforts by the Department and the Department of Veterans Affairs.

*Question.* What are the weaknesses that need to be corrected?

Answer. The challenges lie in being continually vigilant to ensure every recovering servicemember and family receive the full care they need and deserve. Improving the Integrated Disability Evaluation System is critical in that regard. Much work remains to be done.

*Question.* If confirmed, are there additional strategies and resources that you would pursue to increase support for wounded servicemembers and their families, and to monitor their progress in returning to duty or to civilian life?

Answer. Providing needed care and support for servicemembers, Veterans and their families should be and is an utmost priority for the Department. If confirmed, I will have the opportunity to consult with the committee and to evaluate what additional support, in resources and/or authority, is necessary to address the needs of the wounded servicemembers and their families.

*Question.* What is your assessment of the adequacy of access to care and care management for Federal civilian employees who are ill or injured in theater, including evaluation and response to traumatic brain injury and post traumatic stress?

Answer. I understand Federal civilian employees have access to emergency treatment in theater for illness, disease, injuries, or wounds sustained while forward deployed in support of U.S. military forces, and continued treatment in Military Treatment Facilities. If confirmed, I will review efforts to include the evaluation of traumatic brain injury and post-traumatic stress for deployed civilian employees.

*Question.* Studies conducted as a result of the revelations at WRAMC pointed to the need to reform the disability evaluation system (DES), and the Services have now moved to the Integrated DES program to improve processing of servicemembers. Nevertheless, the processing times under the Integrated DES, initially encouraging, are now worsening, and the system appears to be overloaded.

What is your assessment of the Integrated DES?

Answer. The events of the past ten years showed the Department was not fully prepared to meet the needs of the Nation's returning wounded servicemembers. Multiple bipartisan commissions confirmed the need to streamline and improve the Department's disability evaluation system. I agree with their general conclusions that the system needs to be improved and processing time needs to be reduced significantly and with a sense of urgency. Some progress has been made but much more needs to be done. This will require continued leadership by both this Department and the Department of Veterans Affairs.

*Question.* What is your assessment of the need to further streamline and improve the Integrated DES?

Answer. It is my understanding that much work remains. I believe the Department has an obligation to our servicemembers participating in the Integrated Disability Evaluation System (IDES) to proactively evaluate the program and apply lessons learned. Whenever two systems are merged that are governed by separate statutes and with separate purposes, there is always friction; but those friction points are opportunities for improvement. IDES highlights the need for better record sharing and case management tracking tools across the Department and VA. If confirmed, I plan to look at all aspects of the system to see where opportunities exist for improvement. Additionally, I believe that leadership by both the Departments

of Defense and Veterans Affairs is critical to ensuring programs like the IDES are successful.

*Question.* If confirmed, how will you address any need for change?

Answer. If confirmed, I will continue the Department's work (with the VA) toward improving the timeliness of the disability evaluation system. I will carry on the Department's commitment to providing a comprehensive, fair, and timely medical and administrative processing system to evaluate our injured or ill servicemembers' fitness for continued service. If confirmed, I would look forward to the opportunity to work with this committee to understand your views on further improvements to care for our wounded ill and injured servicemembers.

DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS COLLABORATION

*Question.* The Departments of Defense and Veterans Affairs have in recent years increased collaboration between the respective departments to support military servicemembers as they transition to veteran status in areas of health and mental health care, disability evaluation, and compensation.

If confirmed, what role would you expect to play in ensuring that the Departments of Defense and Veterans Affairs achieve the Administration's objectives in DOD and VA collaboration?

Answer. If confirmed, I will be intimately involved in the collaboration between the Departments of Defense and Veterans Affairs and would look forward to a strong partnership. I fully support the vision of a single experience of lifetime service through a partnership that establishes a national model for excellence, quality, access, satisfaction, and value. I will do my utmost to provide leadership that enables the interagency effort. I would look forward to co-chairing—with the Deputy Secretary of Veterans Affairs—the revitalized Joint Executive Committee to work on the range of issues that ensure that transitioning servicemembers receive the benefits, care, and transition assistance they deserve.

DISABILITY SEVERANCE PAY

*Question.* Section 1646 of the Wounded Warrior Act, included in the National Defense Authorization Act (NDAA) for Fiscal Year 2008, enhanced severance pay and removed a requirement that severance pay be deducted from VA disability compensation for servicemembers discharged for disabilities rated less than 30 percent incurred in the line-of-duty in a combat zone or incurred during the performance of duty in combat-related operation as designated by the Secretary of Defense. In adopting this provision, Congress relied on the existing definition of a combat-related disability contained in title 10 U.S.C. 1413a(e). Rather than using the definition intended by Congress, DOD adopted a more limited definition of combat-related operations, requiring that the disability be incurred during participation in armed conflict.

What is your understanding of the number of servicemembers impacted by the DOD interpretation of "combat-related disability," and how the DOD interpretation affects their compensation?

Answer. Although I do not yet know the details, it is my understanding that a review of the policy implementing section 1646 of the Wounded Warrior Act is currently underway. If confirmed, I would look forward to working with this committee once that review has been completed.

*Question.* If confirmed, will you reconsider the Department's definition of combat-related operations for purposes of awarding enhanced severance pay and deduction of severance pay from VA disability compensation?

Answer. If confirmed, I would look into the status of this review to ensure that any policy change relating to the definition, if warranted, meets the intent of Congress and is consistent with the governing statute.

REPEAL OF "DON'T ASK, DON'T TELL"

*Question.* What is your assessment of the effect on the force of the repeal of the Don't Ask, Don't Tell policy?

Answer. The Services and combatant commands continue to provide monthly progress reports on the implementation of repeal to the Secretary of Defense. To date, and based on these reports, repeal is going smoothly with no significant repeal-related issues identified. I believe this success can be attributed to comprehensive pre-repeal training programs, the discipline of our servicemembers, and continued close monitoring and enforcement of standards by our military leaders at all levels.

*Question.* What is your view on the issue of providing military benefits to same-sex partners?

Answer. It is my understanding that the Department is conducting a deliberative and comprehensive review of the possibility of extending eligibility for some benefits, when legally permitted, to same-sex partners of military personnel. Before recommending the extension of any particular benefit, I believe it is necessary to complete the ongoing, holistic review of all benefits to fully identify second and third order effects, and to ensure consistency in the benefit decisionmaking process.

*Question.* If confirmed, what actions if any would you pursue in this regard?

Answer. If confirmed, I will continue to ensure the Department and our servicemembers remain fully committed to the implementation effort, consistent with our standards of military readiness, effectiveness, unit cohesion, and recruiting and retention of the Armed Forces. I will also provide leadership, if still ongoing, in the benefits review and any recommendations made to the Secretary of Defense and Congress.

RELIGIOUS GUIDELINES

*Question.* What is your understanding of current policies and programs of DOD regarding religious practices in the military?

Answer. It is my understanding the Department does not endorse the establishment of religion, but it does guarantee its free exercise. The Department and the Military Services ensure servicemembers' rights to observe the tenets of their respective religions or to hold no specific religious conviction or affiliation.

*Question.* In your view, do these policies appropriately accommodate religious practices that require adherents to wear particular articles of faith or adhere to certain grooming practices related to faith?

Answer. It is my understanding that current policies allow for consideration of accommodations of religious apparel that are neat and conservative and do not interfere with the performance of military duties. Current policy does not address accommodations for grooming practices, and therefore this policy is under review for possible revisions. If confirmed, I would continue to monitor and evaluate this ongoing review.

*Question.* In your view, do these policies appropriately accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?

Answer. Yes, in my view, current policies accommodate the free exercise of religion for all servicemembers including those with no religious belief.

*Question.* In your view, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. It is my understanding that existing policies provide the military chaplaincy with sufficient guidance that allows them to balance their own faith practices with respect to the beliefs of others in both formal and informal setting. They continue to focus on providing for the free exercise of religion within the pluralistic environment of the military.

*Question.* The Independent Review Related to Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization." Recommendation 2.7 of the Final Recommendations urged the Department to update policy to clarify guidelines for religious accommodation and Recommendation 2.8 urged the Department to task the Defense Science Board to "undertake a multi-disciplinary study to identify behavioral indicators of violence and self-radicalization . . . ".

What is your view of this recommendation?

Answer. It is my understanding that these two recommendations are still under Departmental review. If confirmed, evaluating the adequacy of policies concerning the safeguarding of our servicemembers would be a top priority.

*Question.* Will you work to ensure that a scientific fact-based approach to understanding radicalization will drive the Department's relevant policies on this topic?

Answer. Yes. If confirmed, I would review plans currently in place to address these challenges, and determine what, if any, changes should be made. I would collaborate with my colleagues in the Office of the Secretary of Defense (OSD), the Military Services, the Joint Staff as well as Congress in charting the right course for the Department.

PROTECTION OF U.S. FORCES AGAINST INTERNAL THREATS

*Question.* A DOD review of the Fort Hood attack released in January 2010 concluded that the Department was poorly prepared to defend against internal threats, including radicalization of military personnel.

What is your assessment of the lessons learned from the tragedy at Fort Hood?

Answer. It is my understanding the Department has undertaken extensive reviews to ensure that guidance resulting from this tragedy is actionable and to implement systems that will allow us to mitigate such incidents in the future. I also understand the Department has promulgated new guidance to the field to assist commanders in evaluating and responding to uncertain situations based on lessons learned. If confirmed, I look forward to becoming more familiar with the application of these lessons in the field.

*Question.* If confirmed, what strategies would you advocate to prevent and mitigate such threats in the future?

Answer. If confirmed, I would work closely with Department leadership to strengthen the areas identified by the Fort Hood Independent Review to include mitigating violence in the workplace, ensuring commanders/supervisors have access to appropriate personnel records, and integrating and strengthening force protection policies. Furthermore, I would work closely with our medical community to give commanders a better understanding of how to identify violence indicators.

MUSLIMS IN THE U.S. MILITARY

*Question.* Are you concerned that the attack at Ft. Hood could lead to harassment or even violence against Muslims in the military?

Answer. I believe, by law, every servicemember has the right to practice their religious faith without fear of persecution or retribution. If confirmed, I will review policies to ensure adequate physical and emotional safety from religious harassment is guaranteed and will take appropriate action if needed.

*Question.* If confirmed, what strategies would you advocate to address the potential for harassment or violence against Muslims in the U.S. military?

Answer. I believe safeguarding the rights of servicemembers requires both formal and informal feedback procedures that quickly identify and assess any harassment, should it occur. Responses to grievances or any identified shortcomings must be quick, thoughtful, and effective. If confirmed, I would review the viability of these feedback systems, and take measures to correct them as appropriate.

SEXUAL ASSAULT PREVENTION AND RESPONSE

*Question.* The Department has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assaults, including providing appropriate resources and care for victims of sexual assault. However, numerous incidents of sexual misconduct involving military personnel are still being reported. Victims and their advocates claim that they are victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate treatment for the victim. They assert that their command fails to respond appropriately with basic medical services and with an adequate investigation of their charges followed by a failure to hold assailants accountable.

Do you consider the current sexual assault policies and procedures to be effective?

Answer. Sexual assault simply has no place in the military and is antithetical to its core values. It is my understanding the Department continues to put considerable effort into the development of policies and procedures designed to address sexual assault. If confirmed, I will review those policies and partner with the Services to continue to better educate and train the force to reduce the number of cases. I will also work with them, if there is an assault, to ensure the Department provides appropriate care to victims and commanders hold offenders accountable.

*Question.* What problems, if any, are you aware of in the manner in which the confidential reporting procedure has been put into operation?

Answer. I am not currently aware of any specific problems in implementation of the confidential reporting option, called restricted reporting. I am aware the Department has extended the restricted reporting option to servicemembers' dependents 18 years and older. I am also aware the restriction of no investigation when a victim chooses restricted reporting has concerned commanders responsible for the action of their unit members. I believe the Department must find a balance between victim care and offender accountability but of the utmost importance is that victims feel they can come forward to obtain the support they need following an assault.

Sexual assault victims who elected restricted reporting and leave the military may need to access their records for medical treatment and to help them receive benefits

from the VA. Under Restricted Reports, the victim's confidentiality is a key focus. As a result, separate document retention guidelines were designed to respect the servicemember's desire for confidentiality. In cases of Restricted Reports (where law enforcement and command are not contacted) the Military Services must maintain a hard copy of certain records and the Sexual Assault Medical Forensic Exam for 5 years.

*Question.* What is your view of the steps the Services have taken to prevent and respond to sexual assaults in combat zones, including assaults against contractor personnel?

Answer. It is my understanding the Department has a program in place to ensure servicemembers deploying to combat zones are appropriately informed about how to prevent sexual assault and what to do should it occur. I am aware the Department has made great efforts to ensure all victims of sexual assaults—including those deployed—are able to receive the same level of support as those stationed stateside. The Department recently enacted a new policy to ensure that Department civilian employees stationed abroad and Department U.S. citizen contractors in combat areas receive emergency care and access to Sexual Assault Response Coordinators and victim advocates. If confirmed, I will continue these efforts.

*Question.* What is your view of the adequacy of the training and resources the Services have in place to investigate and respond to allegations of sexual assault?

Answer. I know that all Services have been directed to establish guidelines for a 24-hour, 7-day per week sexual assault response capability for all locations, including deployed areas. I also understand the Services are working towards increasing the training and expertise of those investigating and prosecuting sexual assaults. If confirmed, I will partner with the Services to ensure adequate resources are dedicated to the training of those investigators and prosecutors.

*Question.* What is your view of the willingness and ability of the Services to hold assailants accountable for their acts?

Answer. I strongly believe that anyone who commits a sexual assault in the military needs to be held accountable. This shows victims that taking the difficult step of assisting with an investigation will help ensure the safety of their fellow servicemembers and demonstrates to would-be perpetrators that they will face justice. Secretary Panetta directed an assessment, due at the end of May, on how we train officers selected for command and key senior enlisted leaders on sexual assault prevention and response, and what we can do to strengthen that training. If confirmed, I am committed to ensuring that accountability remains a key priority. I echo Secretary Panetta's regret that such crimes occur in the U.S. military and I will do all I can to prevent these sexual assaults from occurring in DOD.

*Question.* If confirmed, what actions will you take to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults?

Answer. Sexual assault is a crime which reaches across the Department, and as such, response and accountability efforts need to have the same reach. I am aware that in January 2012, Secretary of Defense Panetta directed an assessment be completed on Sexual Assault Prevention and Response training for officers selected for command and key senior noncommissioned officers. If confirmed, I will follow up on any recommendations to ensure our most senior leaders receive the necessary training and resources to combat sexual assault. I will also ensure the Department has the correct structure in place to engage the Departmental leadership, and the leadership of other agencies such as the Departments of Veterans Affairs, Health and Human Services, and Justice, in planning, guiding, and evaluating our efforts. I will also work with the Services and other OSD and Joint Staff partners on issues of perpetrator accountability.

HAZING

*Question.* The press has recently reported numerous serious hazing incidents in the Army, Navy, and Marine Corps. In the Army and Marine Corps incidents, the victims allegedly committed suicide following the hazing.

Does DOD have a policy addressing hazing in the Services? If so, what is the policy?

Answer. I believe the Department has a clear "no hazing" policy, implemented by each Service, to include mandatory training to prevent hazing. Secretary of Defense Panetta reinforced the existing policy against hazing with a personal message to the force in December 2011. Under the Uniform Code of Military Justice (UCMJ), there are disciplinary and legal consequences of hazing. Furthermore, hazing is explicitly prohibited at each of the Service Academies.

*Question.* If confirmed, what actions will you take to address the issue of hazing?

Answer. If confirmed, I would reemphasize the Department's policies prohibiting hazing. I would work closely with the Services to review their education and training in this area and to make updates as appropriate. Finally I would review reporting procedures, strengthen climate survey mechanisms, and increase awareness of hazing at all levels of the chain of command.

SERVICE ACADEMIES

*Question.* What do you consider to be the policy and procedural elements that must be in place at each of the Service Academies in order to prevent and respond appropriately to sexual assaults and sexual harassment and to ensure essential oversight?

Answer. I believe that, as in the general force, even one sexual assault at a Service Academy is too many. The Academies are a critical commissioning source for those who will lead our servicemembers. From their earliest military education, it must be clear that there is no place for sexual harassment or assault in our military; it is antithetical to the core values by which servicemembers live and serve.

I believe the Department's general sexual assault and sexual harassment policies provide a foundation for combating sexual misconduct at the Service Academies. It is my understanding the academies have institutionalized prevention and response programs that encourage victims to come forward and hold offenders accountable. I further understand the Department reviews the efforts of the Academies annually and requires biannual updates on the outcome of the review. If confirmed, I would continue rigorous oversight and determine whether additional measures need to be taken.

*Question.* What is your assessment of measures taken at the Service Academies to ensure religious tolerance and respect, and to prevent sexual assaults and sexual harassment?

Answer. If confirmed, I look forward to familiarizing myself with what each of the Service Academies have been doing to ensure religious respect and tolerance. At the USAF Academy, since 2009, chaplains have been intentional and deliberate in working with commanders, students, and civilian religious leaders to ensure free exercise of religion or the choice to have no religion remains a time-honored tradition. I believe it is imperative that leaders, at all levels, must continue to ensure every member of the Department respects the spirit and intent of laws and policies surrounding this free exercise.

On the topic of sexual assault, it is my understanding the academies have institutionalized prevention and response programs that encourage victims to come forward and that hold offenders accountable. I further understand the Department reviews the efforts of the Academies annually and requires biannual updates on the outcome of the review. If confirmed, I would continue that rigorous oversight and determine whether additional measures need to be taken.

WOMEN IN THE MILITARY

*Question.* In recent years, the Navy has opened service on submarines to women and the Marine Corps has expanded service opportunities for women in intelligence specialties. The issue of the appropriate combat role of women in the Armed Forces is a matter of continuing interest to Congress and the American public. In a recent interview with the Washington Post, General Peter Chiarelli, USA (Retired), stated his belief that all military occupations, including combat occupations, should be open to women who can meet appropriate functional standards.

Do you agree with General Chiarelli's position on assignment policies that restrict women in combat?

Answer. I believe the Department is committed to pursuing the elimination of gender-restricted policies, where feasible, while maintaining force readiness. If confirmed, I would continue the Department's commitment to remove barriers that prevent servicemembers from serving in any capacity based on their ability and qualifications, not constrained by gender-restrictive policies.

*Question.* Do you believe additional specialties should be opened up for service by women?

Answer. The Department's recent report on women in the services commits the Department to review the opening of additional positions and occupations to women through the establishment of gender-neutral physical standards. I understand the Services will be assessing the positions they have requested to be opened under an exception to policy. The Department will use their experiences regarding the suitability and relevance of the prohibition on direct ground combat unit assignment, as well as ongoing research, to inform future policy decisions.

*Question.* Do you believe any changes in the current policy regarding women in combat are needed?

Answer. Until the additional assessment is completed, I do not at this time. It is my understanding the Services will be assessing the positions they have requested to be opened under an exception to policy. The Department will use their experiences regarding the suitability and relevance of the prohibition on direct ground combat unit assignment, as well as ongoing research, to inform future policy decisions.

*Question.* If confirmed, I will continue ongoing efforts in this area.

Answer. DOD has recently submitted to Congress the report on its review of all gender-restricting policies, which will result in further changes in DOD policy to remove barriers to women serving in certain military roles.

*Question.* What is your assessment of the findings of this report?

Answer. It is my understanding that, while the findings of this report did not indicate women have less than equitable opportunities to compete and excel under the current assignment policy, the Services requested changes to current assignment policy, based upon their combat experiences over the last decade in Iraq and Afghanistan. I support the exceptions to policy made, after thoughtful consideration, by the Services and would look forward to continuing the ongoing work contemplated by this report.

*Question.* If confirmed, how will you ensure that the findings of this report are implemented throughout DOD?

Answer. It is my understanding the Secretary of Defense charged the Under Secretary of Defense for Personnel and Readiness as the focal point for reporting the progress of the Services in their efforts to pursue gender-neutral physical standards, assessing newly opened positions, and identifying any further positions that can be opened. If confirmed, I will work with the Services to continue the Secretary's commitment to removing barriers that prevent servicemembers from serving in any capacity based on their ability and qualifications, not constrained by gender-restrictive policies.

RISING COSTS OF MEDICAL CARE

*Question.* In testimony presented to Congress in February, 2009, the Assistant Director of the Congressional Budget Office asserted that "medical funding accounts for more than one-third of the growth projected for operations and support funding between 2009 and 2026." In April 2009, Secretary Gates told an audience at Maxwell Air Force Base that "health care is eating the Department alive". In recent years, the Department has attempted to address this growth through various fee increases on military retirees. The Department's preliminary budget briefings for fiscal year 2013 confirm that the growth in military health care costs continues to outpace the growth in the rest of the defense budget.

What is your assessment of the long-term impact of rising medical costs on future DOD plans?

Answer. I am informed that Department estimates indicate these costs could rise to over 10 percent of the Department budget in just a few years. These costs cannot be ignored, and in these fiscally constrained times, we must achieve an appropriate balance among compensation, force structure, and modernization. To address these rapidly rising costs, the Department has put forward comparatively modest increases in the beneficiary costs shares to be phased in over several years. If confirmed, I would work to ensure the Department continues to provide high quality care for our servicemembers and their families, while also ensuring we remain good stewards of the Nation's resources. All compensation changes should be viewed through the lens of maintaining the strength of the All-Volunteer Force.

*Question.* If confirmed, what actions would you initiate or recommend to the Secretary of Defense to mitigate the effect of such costs on the DOD top-line?

Answer. If confirmed, I would work closely with our healthcare leadership in the Department to examine every opportunity to assure military beneficiaries are provided the highest quality care possible while managing cost growth and to provide that advice to the Secretary of Defense.

*Question.* What reforms in infrastructure, benefits, or benefit management, if any, do you think should be examined in order to control the costs of military health care?

Answer. I believe to control the costs of military health care, the Department needs to continue to evaluate all possibilities including infrastructure costs, provider payments, administrative costs, and the benefit structure. If confirmed, I would examine the costs of the direct care facilities, determining where efficiencies can be gained and investing wisely in infrastructure requirements. I would look at the effi-

ciencies in procuring healthcare services in the civilian market, I would look for ways to streamline administrative functions to minimize duplication efforts, and, finally I would evaluate the benefit structure to see where reasonable changes could occur.

PERSONNEL AND ENTITLEMENT COSTS

*Question.* In addition to health care costs, personnel and related entitlement spending continue to grow and is becoming an ever increasing portion of the DOD budget. In order to combat this trend, the Department is recommending that Congress establish a commission with "BRAC-like authority" to conduct a comprehensive review of the military retirement benefit "in the context of total military compensation".

What do you think the charter of this Commission should focus on, and do you agree that in this context the military retirement benefit should include retiree health care and survivor benefits?

Answer. Military retirement is an enormous, complex, and sensitive area, which includes disability retirements and the Survivor Benefit Plan. I believe an independent, BRAC-like Commission is the best vehicle to explore possible alternatives to the current system. Healthcare is a very different, separate area, and I understand the Department already has proposed other changes to the healthcare system. If confirmed, I look forward to working with Congress on the Department's healthcare proposals, and at this time would not recommend inserting healthcare into the charter of the Commission.

*Question.* Do you agree that in the event reforms are enacted that the retirement benefits of current servicemembers should be grandfathered and, if so, what is the soonest that substantial savings would be realized by the Department?

Answer. I believe Secretary Panetta phrased it best when he said, "With any proposed changes to the retirement system, current members should be grandfathered." Assuming we grandfather current members, we would expect to see modest savings in the near term after implementation. The greatest savings would take effect in the later years as the proportion of the force covered by any proposed, new system increases.

*Question.* What steps has the Department taken to evaluate the military system of compensation and benefits, and should this commission also consider compensation and benefits reform?

Answer. It is my understanding the Department is evaluating changes to the military compensation system, and is focusing first on military retirement. I believe the Department has been conducting an internal review to identify and evaluate retirement alternatives. If Congress establishes an independent commission to review military retirement as requested by the Administration, if confirmed I will ensure the Department will provide the Commission with a formal proposal. Following the review of military retirement, the Department plans to continue its comprehensive review of military compensation to ensure it maintains the Nation's All-Volunteer Force in the most cost conscious manner. If confirmed, I look forward to working with Congress in considering potential military retirement system alternatives as well as other possible compensation and benefits reforms.

*Question.* Is the Department currently evaluating the military system of compensation and benefits, or should this commission also consider compensation and benefits reform?

Answer. I understand the Department is evaluating changes to the military compensation system as a whole, and is focusing first on military retirement. Following the review of military retirement, I believe the Department plans to continue its comprehensive review of military compensation to ensure we maintain the Nation's all volunteer force in the most cost conscious manner. If confirmed, I look forward to working with Congress in considering other compensation and benefits reforms. At this time, however, I do not believe it is appropriate to insert additional compensation and benefits reform into the charter for the Commission.

*Question.* What actions do you believe can be taken to control the rise in personnel costs and entitlement spending?

Answer. I am aware that an increasing proportion of the Department's resources are devoted to personnel-related costs. I believe it is imperative to remember when we discuss "personnel costs" that our actions affect the lives of our servicemembers and their families. Moreover, our compensation system should aim to ensure we can continue to recruit and retain a high-quality All-Volunteer Force.

I believe the Department must balance its responsibilities to our servicemembers, to the Nation, and to the taxpayers. We must be ready to fulfill our mission, while using our resources wisely. As such, I believe it is appropriate to periodically review

the military compensation system. I understand the Department's leadership has already started down this path, and if confirmed, I look forward to working with the Department and Congress on this issue.

I understand the Department's review of the military retirement system is in progress, and after the Department provides input to the Commission, I expect the Department's comprehensive review will continue to other parts of the compensation and benefits system.

MENTAL HEALTH

*Question.* Senior military leaders increasingly recognize the need to reduce the stigma for military personnel and their families and veterans in seeking mental health care.

If confirmed, what role would you expect to play in expanding the breadth of this message to military personnel and their families?

Answer. If confirmed, I would support ongoing Department efforts to combat stigma and increase help-seeking behavior among servicemembers, their families, and affected civilians. The Services are currently heavily engaged in this effort. However, I am prepared to provide the Service Chiefs with whatever resources are necessary to expand the breadth of the outreach efforts. I fully support the Department's efforts to improve health and mental healthcare services, and reduce the stigma of mental healthcare for our men and women in uniform, their families, and affected civilians.

SUICIDE PREVENTION-READINESS

*Question.* The numbers of suicides in each of the services has increased in recent years. The Army released a report in June 2010 that analyzed the causes of its growing suicide rate and examined disturbing trends in drug use, disciplinary offenses, and high risk behaviors.

If confirmed, what role would you play in shaping DOD policies to help prevent suicides both in garrison and in theater and to increase the resiliency of all servicemembers and their families?

Answer. Suicide is a difficult, ongoing issue across the Services and is deserving of continued commander and senior leader attention. I believe the Department must support a culture to promote health and resiliency. This requires both military and civilian leaders throughout the ranks to provide the requisite support. If confirmed, I will partner with the Services to ensure suicide prevention is emphasized in training at all levels and to ensure necessary access to care. I will focus on finding best practices and using them to provide guidance from which the Services can operate their suicide prevention programs across the total force.

*Question.* What is your understanding of the action that OSD is taking in response to the June 2010 Army report, and the data in Chapter 3 in particular?

Answer. Chapter 3 focuses on "The Lost Art of Leadership in Garrison" and discusses the challenges of an overall increase in high risk behavior, the fragmentation of programs designed to address the high risk behavior, and the atrophy of garrison leadership skills over the past decade. Although most of the recommendations were derived from Army-specific data, some recommendations have applied broadly to the other Services. It is my understanding that the Services have since strengthened leadership involvement at all levels. Examples include emphasis on the commander's role in creating a positive command climate and encouraging help-seeking behaviors specifically aimed at reducing the stigma associated with receiving behavioral healthcare. I am also told that the Office of the Under Secretary of Defense for Personnel and Readiness is leading a collaborative effort across the Department to implement the recommendations contained in the DOD Task Force Report. If confirmed, I look forward to working with Service and other partners on this issue.

READINESS RESPONSIBILITIES

*Question.* Section 136 of title 10, U.S.C., gives the Under Secretary of Defense for Personnel and Readiness certain responsibilities for military readiness. Some important issues that affect military readiness, however, such as logistics and materiel readiness, have been placed under the jurisdiction of the Under Secretary for Acquisition, Technology, and Logistics.

What is your understanding of the responsibilities of the Under Secretary of Defense for Personnel and Readiness in ensuring military readiness, including materiel readiness?

Answer. It is my understanding that the Under Secretary of Defense for Personnel & Readiness oversees both the policy for and the monitoring of military readiness for the Secretary. This includes the oversight of civilian and military training

and education, personnel and medical readiness, and the analysis of broad mission assessments from the combatant commanders regarding the readiness of key units in support of the Secretary's deployment decisions in execution of the National Military Strategy.

As the Under Secretary of Defense for Acquisition, Technology, and Logistics oversees material readiness, and material readiness is an important part of overall military readiness, if confirmed, I will work closely with my Department counterpart on items specific to the management of material readiness.

*Question.* What are the most critical objectives to improve readiness reporting and monitoring of the military forces, and if confirmed, how would you work with the Military Departments as well as other OSD offices to achieve them?

Answer. After more than a decade of conflict and given a new defense strategy, improving the readiness of our force for the range of missions envisioned in that strategy is critically important. This will require increased training efforts as the current operations tempo improves, as well as efforts to ensure units have the people and equipment they need to be mission-ready. Secretary Panetta committed that even as the force becomes smaller, it will be a ready and agile force. If confirmed, I would see my role as providing assessments to the Secretary of how the force is doing in this regard, along with recommendations of how to improve or mitigate any negative trends we might observe.

To do so, I would intend to work with the Services to ensure such accurate and timely readiness assessments of our military forces and to implement any mitigations that may be needed. Only with accurate assessments can the Department effectively plan and manage forces. If confirmed, I would intend to partner strongly with the Services, the Joint Staff, and other OSD partners.

*Question.* Do you believe the current readiness reporting system accurately shows if our forces are not only "ready" but "ready for what"?

Answer. I believe the intent of the current readiness reporting system is to provide a holistic view of the Services' ability to accomplish those missions assigned by the President and the Secretary of Defense. This is a complex undertaking though and currents reporting can be improved. The Defense Readiness Reporting System directly addresses the "ready for what" question by focusing on mission capability. It assesses the readiness of all organizations throughout the Department to perform their assigned missions as well as the individual tasks that support those missions. If confirmed, I will work with the Services, Joint Staff, and OSD partners to continue improvements in readiness reporting.

*Question.* What is your understanding of the responsibilities of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) with respect to the Global Response Force?

Answer. I understand the responsibility of the USD(P&R) is to provide policy guidance regarding the readiness monitoring for the units that comprise the Global Readiness Force, and in collaboration with the Joint Staff, identify readiness deficiencies and recommend mitigation options for the Secretary.

END STRENGTH REDUCTIONS

*Question.* Last year, the Department announced plans to reduce the active-duty end strengths of the Army and Marine Corps. This year, the Department has laid out a new defense strategy that will call for even deeper cuts to the ground forces, proposing eventual end strengths of 490,000 for the Army and 182,000 for the Marine Corps over the next 5 years.

What is your understanding of the Army's and Marine Corps' ability to meet these goals without forcing out many soldiers and marines who have served in combat over the past 10 years with the implicit promise that they could compete for career service and retirement?

Answer. These reductions in force, while appropriate to the new strategy, inherently come with challenges for separating servicemembers and their families. I support Secretary Panetta's commitment to accomplish needed reductions in as humane and supportive a way as possible. I believe the Department's policy of using voluntary measures before considering involuntary separations is the right one. My understanding is that the Office of the Under Secretary of Defense (Personnel and Readiness) is working with the Services to ensure they provide servicemembers with as much advanced notice as possible of their Service's drawdown plans and the likelihood of their being retained. In addition, the Department is working with partners in the Departments of Veterans Affairs and Labor to further strengthen the Transition Assistance Program for any separating servicemembers.

I believe programmed reductions must be carefully and deliberately managed to preserve force readiness. I am aware the Services have a range of authorities to af-

fect these reductions. If confirmed, I would work with the Services and Congress to identify any additional authorities that might prove beneficial in handling these reductions effectively.

*Question.* What programs are in place to ensure that separating and retiring servicemembers are as prepared as they can be as they enter a struggling economy?

Answer. I understand the Department's current Transition Assistance Program (TAP) is in place to help separating and retiring servicemembers in their transition to civilian life, to include preparation for a successful post-military career. The program consists of pre-separation counseling; an employment workshop conducted by the Department of Labor; a benefits briefing provided by the VA; and one-on-one counseling based on individual servicemember requirements. I am aware the Department is expanding and enhancing TAP to maximize the career-readiness of servicemembers, and is working with other agencies in developing a clear path to civilian employment; admission into and success in an academic or technical training program; or successful start-up of an independent business entity or non-profit organization. The Department's efforts here are furthered by congressional action in the VOW to Hire Heroes Act of 2011.

*Question.* How fast can the Army and Marine Corps responsibly and fairly reduce end strength while maintaining the integrity and readiness of combat units?

Answer. I understand the Department expects to draw down the Army from 562,000 to 490,000 by the end of fiscal year 2017, and the Marine Corps from over 202,100 to 182,100 by the end of fiscal year 2016. My understanding is that the respective Services believe these drawdowns can be achieved on these timelines. In making the forces leaner, the Department should take care to learn the lessons of previous drawdowns. Our military must also still be able to respond to any large-scale mobilization against us. This will require careful consideration by Services about their organizational structures and their ability to reconstitute and mobilize forces. These reductions must be done with an eye toward those who have already served in combat and for those with families who have experienced extended separations, by maximizing voluntary programs and using the full range of authorities provided by Congress.

*Question.* What is your understanding of the need for additional force shaping tools requiring legislation beyond what Congress provided in the NDAA for Fiscal Year 2012?

Answer. It is my understanding that the Department may require legislative authorities that allow targeted reductions and maximum flexibility in achieving reductions both in the Active and Reserve components. If confirmed, I will quickly become familiar with the proposals under consideration and work with Congress to address any concerns.

MEDICAL PERSONNEL RECRUITING AND RETENTION

*Question.* DOD continues to face significant shortages in critically needed military medical personnel in both the Active and Reserve components. The committee is concerned that growing medical support requirements will compound the already serious challenges faced in recruitment and retention of military medical, dental, nurse, and behavioral health personnel.

What is your understanding of the shortages of health care professionals in DOD and the sufficiency of the plans to meet recruiting and retention goals?

Answer. Regarding military healthcare, it is my understanding that Health Professions Officer strength is at 100 percent overall, but the Department does have shortage specialties. Specialties of concern below 90 percent are Cardiothoracic Surgery, Critical Care Trauma Medicine, Neurosurgery, Nuclear Medicine, and Oral and Maxillofacial Surgery. If confirmed, one of my goals will be to improve the recruitment and retention of health professional specialties which currently fall below manning requirements. Congress has already given the Department broad authority to provide special and incentive pays for all health professional officers within title 37 U.S.C. section 335, "Consolidation of Special Pay and Bonus Authority." I also believe there is an increased need for civilian providers within the military direct healthcare system and the Department must remain competitive to recruit from the civilian labor market.

*Question.* What legislative and policy initiatives, including bonuses and special pays, do you think may be necessary to ensure that the Military Services can continue to meet medical support requirements?

Answer. I believe with "Consolidation of Special Pays and Bonus Authority" title 37 U.S.C. section 335 that the Department has adequate tools to address Health Professions Officer retention and recruitment issues in both Active Duty and the Reserves. If confirmed, I will continue to support these programs and adjust based on

recruitment and retention needs. I remain in strong support of the Health Professions Scholarship Program that provides the majority of our physicians and dentists.

MILITARY ACCESSIONS VITAL TO NATIONAL INTEREST PROGRAM

*Question.* Under the Military Accessions Vital to National Interest (MAVNI) program, the Services may recruit non-permanent resident aliens who have certain high-demand medical or linguistic skills for service in the Armed Forces, and offer them an expedited path to citizenship. Although the Services have enjoyed extraordinary recruiting and retention in recent years, some specialties remain under strength. While limited in scope, the program appeared successful and worthy of expansion, but was halted after the initial quota was reached so the Department could assess its utility and perform a security review.

What is the status of the MAVNI program and the security review?

Answer. It is my understanding that recruiting under MAVNI began in February 2009, for a one-year pilot that recruited 1,000 personnel. The program was extended in August 2010; however, implementation was delayed pending development of directed enhanced security screening protocols. The screening protocols were signed on February 16, and a package is being finalized to extend the pilot for a 2-year period.

*Question.* When will the program be restarted?

Answer. I believe the Department is in the process of completing a 2-year extension of the MAVNI pilot program and anticipate that it will restart by summer 2012 for a full 2-year pilot program.

MEDICAL MARIJUANA

*Question.* What is your assessment on the need for legitimate scientific study of the efficacy of medical marijuana in alleviating the symptoms of post-traumatic stress disorder experienced by servicemembers and veterans?

Answer. I would support any scientifically rigorous, lawful research efforts that have the potential to help improve the lives of patients who have been adversely affected by post-traumatic stress disorder.

MOBILIZATION AND DEMOBILIZATION OF NATIONAL GUARD AND RESERVES - RA

*Question.* Over the past 10 years, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems arose in the planning and procedures for mobilization and demobilization, e.g., inadequate health screening and medical readiness, monitoring, antiquated pay systems, limited transition assistance programs upon demobilization, and lack of access to members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized in the past as "inefficient and rigid" and readiness levels have been adversely affected by equipment stay-behind, cross-leveling, and reset policies.

What is your assessment of advances made in improving Reserve component mobilization and demobilization procedures, and in what areas do problems still exist?

Answer. It is my understanding the Department has focused on increasing the alert and notification times prior to mobilization; the Department needs to ensure it provides predictability to servicemembers, their families, and employers. If confirmed, I would continue the efforts of the Department to monitor this issue closely, as we know that predictability is a major factor for all those affected. I believe strongly that National Guard and Reserve personnel deserve first-class mobilization and demobilization procedures, health screening, and transition assistance programs.

*Question.* What do you consider to be the most significant enduring changes to the administration of the Reserve components aimed at ensuring their readiness for future mobilization requirements?

Answer. It is my understanding the most significant enduring changes are in the implementation of service force generation plans, which have been created to provide a defined cycle to prepare Reserve component units for employment as an operational force. This enables units to train for a mission prior to mobilization and deploy and redeploy on a predictable timeline. I believe there is still work to be done in projecting force requirements by combatant commands to avoid mission and personnel requirement changes just prior to mobilization.

*Question.* Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves?

Answer. If confirmed, I would review existing authorities, to include those just enacted but not yet implemented, to ensure the Department has appropriate authorities in light of the role of the Guard and Reserves in our force deployment plans.

I know the Department appreciates the authorities and support this committee has provided.

ENHANCED RESERVE MOBILIZATION AUTHORITIES

*Question.* In the NDAA for Fiscal Year 2012, Congress authorized the Service Secretaries to mobilize units and individuals in support of preplanned combatant command missions for up to 365 consecutive days. In the new defense strategy announced in January, the President and Secretary of Defense have stated that while conventional ground forces will be reduced, special forces will be increased over the next 5 years, and a key component of the new strategy seems to be the establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened. Some in the press have called this a "lily pad" approach, and it potentially dovetails with an operational view of the Reserve components.

What is your assessment of the operational reserve and how it will fit into this new paradigm of smaller, more lethal forces rotating into and out of many locations of strategic interest?

Answer. I believe we currently have the best trained and equipped Reserve component in history. The soldiers, sailors, airmen, and marines of today's Reserve Force are highly educated, enthusiastic, and a great many have either volunteered to serve or continued serving since the outbreak of war in Afghanistan and Iraq. If confirmed, I look forward to working with the Services to ensure the Department preserves this hard earned experience, and enables the Reserve component to perform missions in strategic locations in support of national objectives.

*Question.* What is your understanding of the appropriate size and makeup of the Reserve components in light of the new defense strategy?

Answer. If confirmed, I will work closely with the Services to ensure we have sized all elements of the total force—Active, Reserve, National Guard, and civilian—appropriately to accomplish the new defense strategy in the most efficient manner. In order for the Department to meet the demands of the National Security and Defense Strategy, as well as meet the constraints of reduced budgets, we will need to ensure the optimal use of our total force.

I believe the Reserve component will continue to play an instrumental role in maintaining the superiority of our Nation's forces as part of their Service's force generation models and with appropriate funding.

MEDICAL AND DENTAL READINESS OF THE RESERVES

*Question.* Medical and dental readiness of Reserve component personnel remains an issue of significant concern to the committee, and shortfalls that have been identified have indicated a need for improved policy oversight and accountability.

If confirmed, how would you seek to clarify and coordinate reporting on the medical and dental readiness of the Reserves?

Answer. If confirmed, I will continue to support the Assistant Secretary of Defense for Health Affairs' efforts to streamline and standardize medical readiness screening and reporting. Every effort should be made to improve efficiencies for cost containment. I concur that an electronic solution that integrates the Reserve communities with the active allowing for standardized reporting would improve immediate information access and provide much needed efficiency.

*Question.* How would you improve upon the Department's ability to produce a healthy and fit Reserve component?

Answer. It is my understanding that there is an impressive team of Preventive Health clinical experts who are crafting a multi-discipline, multi-community approach for the Department in collaboration with the National Prevention Strategy of the Office of the Surgeon General. The Department's effort addresses many of the core national preventive health issues identified by the Department of Health and Human Services. The Department's participation on these working groups aligns with the National strategy to address our military community including the military families and civilian workforce that supports DOD. If confirmed, I would support these efforts.

MILITARY QUALITY OF LIFE

*Question.* The committee is concerned about the sustainment of key quality of life programs for military families, such as family support, child care, education, employment support, health care, morale, welfare and recreation services, especially as DOD's budget declines.

How do you perceive the relationship between military recruitment and retention and quality of life improvements and your own top priorities for the Armed Forces?

Answer. I believe quality of life efforts impact the recruitment and retention of military personnel and are key to maintaining the All-Volunteer Force. A servicemember's satisfaction with various aspects of military life as well as the servicemember's family experience influences members' decision to remain in service. In his testimony before this committee, Secretary Panetta said, "One of the guiding principles in our decisionmaking process was to keep faith with them and their families. So we're protecting family assistance programs, we're protecting basic benefits, we're sustaining important investments in the budget to try to assist our troops with their needs and the needs of their families." If confirmed, I would review how effectively our programs meet the needs of servicemembers and their families, and ensure that they are contributing positively to recruitment and retention.

*Question.* If confirmed, what further enhancements to military qualify of life would you consider a priority, and how do you envision working with the Services, combatant commanders, family advocacy groups, and Congress to achieve them?

Answer. If confirmed, I would aggressively pursue the Department's priorities to promote the well-being and resilience of servicemembers and their families. I would focus on understanding the needs of our force and their families and try to expand assistance such as access to counseling, fitness opportunities, and childcare support to help minimize stress on the force. The Department leadership should work together with advocacy groups and Congress to efficiently close gaps and reduce overlaps in programs and to communicate effectively to ensure that families know how to access available support when they need it.

FAMILY SUPPORT

*Question.* Military members and their families in both the Active and Reserve components have made, and continue to make, tremendous sacrifices in support of operational deployments. Senior military leaders have warned of growing concerns among military families as a result of the stress of frequent deployments and the long separations that go with them.

What do you consider to be the most important family readiness issues for servicemembers and their families, and, if confirmed, how would you ensure that family readiness needs are addressed and adequately resourced?

Answer. In his testimony before this committee, Secretary Panetta said, "One of the guiding principles in our decisionmaking process was that we must try to keep faith with our troops and their families. For that reason, we've determined to protect family assistance programs, to sustain these important investments in this budget that serve our troops and their families and continue to make efforts to ensure that these programs are responsive to their needs."

If confirmed, I would make family readiness issues a priority. I would work with the Secretary and the Military Services to support, prioritize, and appropriately resource quality physical and mental healthcare, spouse career assistance, childcare, other elements of dependent support, and education needs.

*Question.* How would you address these family readiness needs in light of global rebasing, BRAC, deployments, and anticipated reductions in end strength?

Answer. If confirmed, I would continue the Department's current approach to identify and address family readiness needs, to gather information from the Services, commands, servicemembers and families, professional organizations, and researchers about how to best prepare families for rebasing, BRAC, deployments and other stressful aspects of military life.

*Question.* If confirmed, how would you ensure support is provided to Reserve component families related to mobilization, deployment and family readiness, as well as to active duty families who do not reside near a military installation?

Answer. If confirmed, I would ensure the Department's Yellow Ribbon Reintegration Program is properly focused and funded to address the issues faced by reservists, geographically dispersed Active Duty, their families and immediate support network. The program's proactive and preventive scope provides information, access, referrals, and outreach to military members and those who support them thanks to Congress for continued support. Further efforts must be underwritten by a coordinated, community-based network of care encompassing the Department, VA, State, local, and private providers.

*Question.* If confirmed, what additional steps will you take to enhance family support?

Answer. If confirmed, I would encourage the implementation of flexible family support programs that meet the needs of our servicemembers and their families, whether they live on, near, or far from military installations.

ACCESS TO HEALTH CARE

*Question.* One of the major concerns for military family members is access to health care. Military spouses tell us that the health care system is inundated, and those stationed in more remote areas may not have access to adequate care.

If confirmed, what steps would you take to ensure complete access to health care for the families of servicemembers?

Answer. I agree that access to care for family members is an important concern and, if confirmed, I will work to ensure appropriate access to care is a key feature of our TRICARE program and will continually explore ways to ensure all beneficiaries are provided the appropriate level of care within the established TRICARE Access to Care Standards.

DEPARTMENT OF DEFENSE SCHOOLS IN CONUS

*Question.* Some have questioned the continuing need for DOD-operated schools for military dependent children within the Continental United States (CONUS).

In light of the administration's request for additional Base Realignment and Closure (BRAC) authorities and fiscal constraints, should DOD should establish or update its criteria for the continued operation of DOD schools within CONUS?

Answer. No, at this time I don't believe the criteria require change. The law provides the Secretary of Defense the authority to determine whether to establish DOD Domestic Dependent Elementary and Secondary Schools (section 2164 of title 10, U.S.C.). In exercising that discretion, the Secretary must consider the criteria established by law and any other criteria the Secretary deems relevant in making such a determination. The final decision about the establishment of a DOD Domestic school rests with the Secretary.

In these times of fiscal pressures and significant high stress periods for our military families, I believe the Department should continue to weigh the cost and benefits associated with operating some or all or the DOD Domestic Schools. If confirmed, I look forward to working with the committee on this important issue.

*Question.* If so, and if confirmed, how would you approach this task?

Answer. While I do not believe the criteria should be updated, if confirmed, I will review all DOD schools programs and ensure we provide as much stability as possible to military dependent children.

OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS

*Question.* In the NDAA for Fiscal Year 2010, Congress required the establishment of an Office of Community Support for Military Families with Special Needs within the Office of the Under Secretary of Defense for Personnel and Readiness. The purpose of this office is to enhance and improve DOD support for military families with special needs, whether educational or medical in nature.

In your view, what should be the priorities of this Office of Community Support for Military Families with Special Needs?

Answer. If confirmed, services for military families with special needs will be a priority for me. I believe the priorities of this office include medical and educational programs to strengthen military families with special needs. I would support the critical efforts of this office to establish consistent policy and monitor its implementation across the Services. I would identify programs already in existence that can provide special services to military families. An example I am familiar with from the Air Force is the Exceptional Family Member Program Coordinating Committees. These organizations operate within the Air Force's Community Action Information Boards and address community based solutions to any gaps in services for special needs families.

*Question.* If confirmed, how would you ensure outreach to those military families with special needs dependents so they are able to get the support they need?

Answer. If confirmed, I would ensure increased communication efforts to reach families with special needs through the use of Webinars, social media outlets, base newspapers, commissaries and exchanges, childcare centers and youth facilities, Department schools and a variety of Department and services websites. In addition, I would emphasize collaboration with civilian community resources outside the gate to enhance the resources that the Services provide. Public school systems, early intervention programs and non-profit organizations such as Easter Seals and the March of Dimes provide invaluable, distinctive resources that are not offered by the Services.

VOLUNTARY EDUCATION PROGRAMS

*Question.* The Department established the Military Spouse Career Advancement Accounts (MyCAA) program, a demonstration project that provides military spouses with funds through "career advancement accounts" to help enable them to pursue portable careers. In February 2010, the Department became overwhelmed by the number of program applicants, subsequently ran out of funds, and then temporarily halted the program. The program has now restarted, but the funds, as well as the number of spouses who would be eligible for the program, will be more limited.

What is your understanding of the current focus and objectives of the program?

Answer. It is my understanding that the Department continues to support MyCAA, but has shaped the program to target the spouses of those members most in need of additional assistance. From my understanding, as part of the larger, holistic Spouse Education and Career Opportunities (SECO) program, the MyCAA program now offers spouses of E1–E5, O1–O2, and W1–W2 servicemembers the opportunity of up to $4,000 for education, a license, or a credential necessary for employment in a portable career. The objective of the MyCAA program is to ensure that these mostly younger military spouses have opportunities to pursue and sustain a career while supporting their servicemembers. Through the SECO program, spouses can obtain professional education and career counseling that includes interest, aptitude, and skill testing, information on education and licenses and projected career field growth and salary levels required in specific occupations.

*Question.* If confirmed, what would be your objectives for the MyCAA program and other spouse employment initiatives or programs?

Answer. If confirmed, my objective would be to assist, support, and empower military spouses in making informed decisions by offering an opportunity to obtain comprehensive information on high-growth, high-demand, portable occupations. This should include occupational information on education, license and credential requirements, how to access other Federal, State, and private opportunities for financial assistance in achieving these requirements, as well as understanding earnings potential. It should also include the recent initiative by the First Lady and Dr. Biden to encourage States to accept licenses from other States for the spouses of servicemembers. If confirmed, I would also promote the outstanding pipeline of talent that military spouses represent to America's employers. Military spouses are talented, diverse, and motivated.

*Question.* The Department continues to seek ways to improve oversight of its tuition assistance programs, including standardizing eligibility criteria among the Services and requiring all schools who accept tuition assistance funding, whether for online courses or on-post, to sign a Memorandum of Understanding (MOU) with the Department which will, among other things, subject online schools to Departmental audits. We have heard concerns from some in the academic community that certain provisions of the MOU infringe on institutions' academic freedom.

What is the status of the MOU, and what will happen to servicemembers enrolled in schools that refuse to sign?

Answer. It is my understanding the MOU, originally to be effective January 1, 2012, was extended until March 30, 2012, at the request of Congress. I also understand that DOD is collaborating with institutions of higher learning to reach a resolution and will shortly have an updated MOU for signature. Approximately 95 percent of current students who use Tuition Assistance are enrolled in institutions which have signed the MOU. It is my understanding that if servicemembers are enrolled at an institution which will still not sign the revised MOU, the Services will assist them to find schools that have the same program and will transfer credits already earned. The Services will also provide counseling to assist in identifying additional or alternative sources of funding if the servicemember wishes to remain enrolled in that school.

*Question.* What is your assessment of the tuition assistance program in light of the needs of the Services and the current budget environment?

Answer. It is my understanding, despite budget reductions, the Department remains committed to providing servicemembers with support programs and resources that empower them to address the challenges of military life and prepare them for success when they return to civilian life.

*Question.* What is your view the Post-9/11 GI Bill as a viable and fair alternative for servicemembers and spouses if the military tuition assistance and MyCAA benefits are eliminated or reduced?

Answer. Congress provided a significant benefit with the passage for the Post 9–11 GI Bill. I do not believe the Post-9/11 GI Bill is a viable alternative to Tuition Assistance or MyCAA because it is designed for different purposes. Although currently serving members can use the Post-9/11 GI Bill, it is better designed to pro-

vide financial support for education and housing so prior servicemembers can attend school in a full (or near full) time capacity. The Tuition Assistance program is designed to assist current servicemembers in obtaining off duty education to gain the knowledge and skill they need for their military careers and prepare for success when they return to civilian life.

The Post-9/11 GI Bill benefits are not available for transfer to a spouse until after 6 years of service. Therefore, the majority of the MyCAA spouses would not be eligible for the Post-9/11 GI Bill transfer. The MyCAA program is designated to serve spouses of junior servicemembers.

*Question.* What is your view of proposed changes to the so-called 90/10 rule that would require academic institutions to derive no more than 85 percent of their revenue from Federal sources, including DOD tuition assistance and VA GI Bill funding?

Answer. If confirmed, I look forward to learning more about this issue. It is my understanding that the Department does not currently have an objection, as long as the legislation allows for a 2-year period for a school to return to compliance.

MEDICAL RESEARCH PROGRAMS

*Question.* What do you see as the highest priority medical research investment areas for DOD?

Answer. I agree with the Department's current research priorities to improve the diagnosis, treatment, and rehabilitation of wounded warriors with emphasis on Traumatic Brain Injury, the psychological health and well-being of military personnel and their families including Post-Traumatic Stress Disorder and suicide prevention, pain management, eye and other sensory system trauma, far forward hemorrhage control and resuscitation, and improved prosthetics.

*Question.* How will you assess the amount of investment made in these research areas to determine if they are sufficient to meet DOD goals and requirements?

Answer. If confirmed, I would review the current research portfolio to ensure it prioritizes and resources research appropriate to the requirements of the Department.

*Question.* How will you ensure that DOD medical research efforts are well coordinated with similar research programs within the private sector, academia, the Services, the Defense Advanced Research Projects Agency, the VA, and the National Institutes of Health?

Answer. If confirmed, I would support coordination efforts to ensure research is conducted jointly, building on, and partnering with industry, academia, and other government agencies to ensure the greatest benefit to our servicemembers. I am aware that joint program reviews of medical research are conducted with DOD, VA, and National Institutes of Health scientists to ensure our research reflects the best interests of our servicemembers and leverages the Federal medical research investment.

*Question.* How will you ensure that new medical technologies (including drugs and vaccines) are independently and adequately tested before their use by DOD organizations and personnel?

Answer. If confirmed, I will work through the Assistant Secretary of Defense for Health Affairs to ensure the Department continues to apply the highest standards of the Food and Drug Administration to ensure new medical technologies, drugs, and vaccines are safe and effective before they are adopted for use in the Department.

*Question.* There have been growing privacy and security concerns raised about the use of online social networks for medical research purposes.

How will you ensure that the increasing use of social networking media for medical research purposes will protect the privacy and security of patients?

Answer. If confirmed, I would enforce the Department's policy, which states that the rights and welfare of human subjects in research supported or conducted by Department components will be protected. This protection is based on the ethical principle of respect for persons and encompasses requirements to obtain informed consent and to do no harm. In application of this policy, I would support the Department's adherence to the applicable statutory provisions for human protections in research.

*Question.* What are your biggest concerns related to the DOD medical research enterprise?

Answer. Although I do not have detailed knowledge of the entire research portfolio, I am especially interested in the responsiveness of the research program to medical readiness and our servicemembers' medical needs. We must assure the Department has a balanced investment in medical science and technology and in med-

ical advanced development leading to timely translation into clinical practice in the Military Health System. If confirmed, I look forward to learning more about the medical research enterprise.

MORALE, WELFARE, AND RECREATION

*Question.* Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of frequent and lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel and retirees.

What challenges do you foresee in sustaining MWR programs (particularly in view of the Secretary's efficiency initiative) and, if confirmed, what improvements would you seek to achieve?

Answer. It is my understanding the benefits of strong MWR programs are critical to esprit de corps, stress reduction, and personal health and well-being. Although there are very extensive installation MWR facilities and programs, I believe there is an immediate challenge in ensuring that MWR programs for our deployed forces meet their needs, especially free access to the Internet to communicate with family and friends back home and fitness and recreation activities to keep forces fit to fight. Recreation support for our wounded warriors is also critical. In the longer term, I believe the Department needs to understand what programs are valued by servicemembers and their families in order to make wise investments. In addition, the MWR customers need to be involved in expressing their needs and satisfaction with our programs and policies.

COMMISSARY AND MILITARY EXCHANGE SYSTEMS

*Question.* Commissary and military exchange systems are significant quality-of-life components for members of the Active and Reserve Forces and their families.

What is your view of the need for modernization of business policies and practices in the commissary and exchange systems, and what do you view as the most promising avenues for change to achieve modernization goals?

Answer. I understand that commissary and exchange programs and policies must continue to evolve to meet the needs and expectations of our changing force and a changing marketplace. If confirmed, I will work to become more familiar with the challenges in this area and look forward to working with the committee on these issues.

*Question.* What is your view of the proposals by some to consolidate or eliminate Commissaries and Exchanges in certain areas where they are underused or duplicative of services readily available at reasonable cost in the community?

Answer. If confirmed, I would review any proposals aimed at reducing overhead, which may include closing underutilized locations or eliminating duplicative services. I recognize that commissary and exchange programs are an important element of the servicemembers' compensation package and contribute to the quality of life of military personnel and their families, including our retired members. Moving forward, I believe we need to ensure the commissaries and exchanges provide the necessary support for today's total military force, while economizing operations. If confirmed, I would look forward to working with the committee on these issues.

*Question.* In the Ronald W. Reagan NDAA for Fiscal Year 2005, Congress required the Secretary of Defense to establish an executive governing body for the commissary and exchange systems to ensure the complementary operation of the two systems.

What is your understanding of the purpose and composition of the executive governing body?

Answer. I am aware the Department established the DOD Executive Resale Board as the governing body to provide advice to the Under Secretary of Defense for Personnel & Readiness regarding the complementary operation of the commissary and exchange systems. I have been informed that the Board works to resolve issues and has been instrumental in pursuing matters of mutual benefit to the elements of the military resale system. The Board is chaired by the Principal Deputy Under Secretary of Defense for Personnel & Readiness, and members include both the senior military officers and civilians who oversee and manage the commissary and exchanges systems.

*Question.* If confirmed, what would your role be with respect to the governing body, and what would your expectations be for its role?

Answer. If confirmed, I would ensure the Board would continue to meet regularly to review operational areas of mutual interest to the commissary and exchange systems.

CIVILIAN PERSONNEL SYSTEMS

*Question.* Section 1113 of the NDAA for Fiscal Year 2010 provides DOD with extensive personnel flexibilities for its civilian employees that are not available to other agencies. In particular, section 9902(a) of title 5, U.S.C., as added by section 1113, directs the Department to establish a new performance management system for all of its employees. Section 9902(b) directs the Department to develop a streamlined new hiring system that is designed to better fulfill DOD's mission needs, produce high-quality applicants, and support timely personnel decisions.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1113?

Answer. I understand the Department and labor organizations that represent the Department's employees have worked collaboratively over 18 months to design a performance management system and improved hiring processes. The Department launched its "New Beginnings" pre-decisional process effort in September 2010, which has culminated in a comprehensive report from three design teams—performance management, hiring flexibilities, and civilian workforce incentive fund—containing over 100 pre-decisional proposals for Department leadership consideration. If confirmed, I will support the work I understand is underway to comply with the NDAA.

*Question.* Do you agree that DOD's civilian employee workforce plays a vital role in the functioning of the Department?

Answer. Yes, the Department's civilian employee workforce plays an instrumental role in the functioning of the Department as part of the Total Force across a range of missions.

*Question.* What is your view of the personnel flexibilities provided by section 1113?

Answer. I understand Congress provided these flexibilities to allow the Department to better meet mission requirements by establishing a new performance management system, redesigned hiring procedures, and a civilian workforce incentive fund. I believe the Department's goal is to establish a fair, credible, and transparent performance management system with a continued focus on aligning Departmental and organizational goals with individual job objectives. The Department is also committed to ongoing hiring reform initiatives and efforts to streamline the hiring process. If confirmed, I will support the work that I understand is under way to develop these flexibilities.

*Question.* If confirmed, will you make it a priority to implement these flexibilities in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed, I would make it my priority to implement those flexibilities that would facilitate accomplishing the Department's missions. The Department has found great value in the predecisional process involving union and nonunion employees. My understanding is that design team recommendations will be deliberated to fully assess functionality, costs, potential benefits, and legal viability, and will continue to involve employees through their labor representatives as the Department moves forward on particular recommendations and decisions about the performance management and hiring processes.

*Question.* Section 1112 of the NDAA for Fiscal Year 2010 directs the Department to develop a Defense Civilian Leadership Program to recruit, train, and advance a new generation of civilian leaders for the Department. Section 1112 provides the Department with the full range of authorities available for demonstration programs under section 4703 of title 5, U.S.C., including the authority to compensate participants on the basis of qualifications, performance, and market conditions. These flexibilities are not otherwise available to DOD.

What is your understanding of the current status of the Department's efforts to implement the authority provided by section 1112?

Answer. I understand that the Department has designed a new leadership program and has implemented the first pilot. If confirmed, I will fully engage to ensure the new program meets the intent of the NDAA authority.

*Question.* Do you agree that the Department needs to recruit highly qualified civilian personnel to meet the growing needs of its acquisition, technical, business, and financial communities?

Answer. Yes. I completely agree that recruiting highly qualified civilian personnel both in mission critical occupations, such as acquisition and finance, and in leadership positions across the Department is essential to mission success.

*Question.* In your view, has the existing civilian hiring process been successful in recruiting such personnel and meeting these needs?

Answer. Although I believe the Department currently has a highly talented workforce, I wholeheartedly support the initiatives to streamline and reform the civilian hiring process. While I understand the Department is making progress, there is still work to be done in this area. If confirmed, I would ensure the Department actively engages in civilian hiring reform initiatives and aggressively pursues continued improvements, in consultation with Congress.

*Question.* If confirmed, will you make it a priority to implement the authority provided by section 1112 in a manner that best meets the needs of the Department and promotes the quality of the Department's civilian workforce?

Answer. Yes, if confirmed I will make it a priority to implement the authority provided by section 1112. The Department recognizes the need for an improved leader development model to attract, retain, and develop civilian leaders to support pipeline readiness and enhance bench strength. If confirmed, I will assess the outcomes of pilot programs designed in support of section 1112 to ensure final implementation of a model necessary to provide the next generation of innovative leaders with the technical competence to meet the future leadership needs of the Department.

HUMAN CAPITAL PLANNING

*Question.* Section 115b of title 10, U.S.C., as added by section 1108 of the NDAA for 2010, requires the Secretary of Defense to develop and update in every even-numbered year a strategic human capital plan that specifically identifies gaps in the Department's civilian workforce and strategies for addressing those gaps. Section 115b requires that the plan include chapters specifically addressing the Department's senior management, functional, and technical workforce and the Department's acquisition workforce.

Would you agree that a strategic human capital plan that identifies gaps in the workforce and strategies for addressing those gaps is a key step toward ensuring that the Department has the skills and capabilities needed to meet future challenges?

Answer. Yes. I believe such planning well positions the Department to acquire, develop, and maintain the workforce it needs to meet current and future mission challenges.

*Question.* Do you see the need for any changes in the requirements for a strategic human capital plan under section 115b?

Answer. At this time, I have no recommendations. If confirmed, I would review the strategic workforce planning that the Department has conducted over the past years against the section 115b requirements, as well as the current workforce planning approach, to determine if any changes may be needed to improve the Department's overall workforce planning effort. I look forward to working with the committee to this end.

*Question.* If confirmed, will you ensure that DOD fully complies with these requirements?

Answer. Yes, if confirmed, I would ensure the Department has a robust strategic workforce plan in place as required by section 115b.

*Question.* Since the time that the Department's most recent strategic human capital plan was issued, its civilian workforce plans have been significantly altered by the changed budget environment and extensive efficiencies initiatives.

What role do you believe human capital planning should play in determining where reductions in the civilian workforce can be taken with the lowest level of risk?

Answer. I believe that workforce plans should serve as a guide, including specific strategies, for closing high-risk skill gaps. The strategic workforce planning process can be a practical and crucial tool for guiding workforce decisions necessitated by changing strategies, budget constraints, and to prevent excessive or irreversible reductions in any particular capability or competency. If confirmed, I will monitor the strategic workforce planning process to ensure comprehensive and sufficient plans are available to inform civilian workforce reduction decisions.

*Question.* Would you agree that the strategic human capital plan required by section 115b should be updated to more accurately reflect the Department's current workforce plans and requirements?

Answer. Yes. If confirmed, I would ensure the Department's biennial strategic workforce plans under section 115b would be based on the latest assessment of the Department's current workforce skills, based on existing and future workload and requirements. Forecasts for the Department's workforce must be based on validated mission requirements and workload, both current and projected.

*Question.* What steps if any will you take, if confirmed, to ensure that civilian workforce levels are determined on the basis of careful planning and long-term requirements, rather than by arbitrary goals or targets?

Answer. If confirmed, I would expect Department decisions on workforce shaping to align to the Department's long term strategic workforce plan, with the understanding that short-term exceptions may be needed due to emerging dynamics in the budget environment. Forecasts for the Department's workforce must be based on validated mission requirements and workload, both current and projected, and these forecasts should inform any reductions in the civilian workforce.

BALANCE BETWEEN CIVILIAN EMPLOYEES AND CONTRACTOR EMPLOYEES

*Question.* In recent years, DOD has become increasingly reliant on services provided by contractors. As a result of the explosive growth in service contracts, contractors now play an integral role in the performance of functions that were once performed exclusively by government employees, including the management and oversight of weapons programs, the development of policies, the development of public relations strategies, and even the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as Federal employees.

Do you believe that the current balance between civilian employees and contractor employees is in the best interests of DOD?

Answer. The Department's "sourcing" of functions and work among military, civilian, and contracted services must be consistent with workload requirements, funding availability, readiness and management needs, as well as applicable laws and statute. I believe the current workforce mix reflects the Department's current best judgment today on how to balance operational needs and fiscal reality. I am committed to ensuring the Department meets its statutory obligations to annually review missions, functions, and workforce composition, including reliance on contracted services, and to ensure the workforce is appropriately balanced and aligned to our most critical priorities.

I value the support provided by private sector firms and recognize contracted services are, and will continue to be, a vital source of expertise, innovation, and support to the Department. However, I believe we must be vigilant against excessive or inappropriate reliance on contract support. This includes ensuring we maintain adequate control and oversight of our missions and operations, as well as growing critical capabilities internally.

*Question.* What steps if any will you take, if confirmed, to ensure that DOD is not excessively reliant on contractors to perform its basic functions?

Answer. If confirmed, I would execute my title 10 responsibilities regarding reviews of contracted services and in-sourcing. Where appropriate, I support insourcing as one tool by which to reduce reliance on contracted services; ensure inherently government, closely associated, or critical work is performed by government civilians or military; maintain management control and oversight of key functions and workload in support of our warfighter; and deliver services in the most cost efficient manner possible.

*Question.* Section 2330a of title 10, U.S.C., requires DOD to maintain an inventory of contract services. Section 321 of the NDAA for Fiscal Year 2011 amended this provision to give the Under Secretary of Defense for Personnel and Readiness a key role in implementing this provision.

What is your understanding of the current status of the Department's efforts to implement the requirements of section 2330a?

Answer. I understand the Department submitted a plan to the congressional defense committees in November 2011 that delineated both short- and long-term steps to become fully compliant with the statutory requirements. If confirmed, I will ensure the necessary steps are taken to enable the Department to fully move forward with the implementation of the requirements of section 2330a.

*Question.* What additional steps if any will you take, if confirmed, to ensure that the Department fully implements the requirements of section 2330a?

Answer. If confirmed, I look forward to working with Congress and will fully support efforts delineated in the November 2011, plan currently underway across the Department to increase visibility and accountability of contracted services.

DEPARTMENT OF DEFENSE EFFICIENCY INITIATIVES

*Question.* In May 2010, then-Secretary Gates launched an initiative to strengthen and modernize our fighting forces by eliminating inefficient or duplicative programs. In an August 16, 2010 memo to DOD components, the Secretary directed twenty specific initiatives, many involving military and civilian personnel and DOD con-

tractors. Secretary Panetta has included similar efficiency initiatives in the Department's budget for fiscal year 2013.

What is your assessment of the impact that the implementation of these initiatives has had, to date, on the military and civilian workforces of DOD?

Answer. Secretary Panetta has continued Secretary Gates' initiative to ensure the Department executes its defense strategy with the most effective use of each defense dollar. This continues the efforts to seek efficiencies throughout the Department's business operations. The fiscal year 2012 initiatives are only now being implemented. In the oversight process, all components are called upon to identify any potential unintended consequences to overall mission capabilities and unit readiness. My understanding is that this oversight will include looking for any impacts to the military and civilian workforce and ensuring adjustments to this workforce are linked to mission needs.

*Question.* Do you believe that any adjustments or modifications are needed in the implementation of these initiatives to avoid adverse impacts on the military or civilian workforces of the Department?

Answer. If confirmed, I will be committed to minimizing the potential adverse impact on our dedicated uniformed and civil service workforces. I would support efforts to more appropriately size our workforce to meet our most pressing and critical priorities while ensuring well-reasoned reductions based on workload requirements, risk factors, and fiscal realities. If confirmed, I will look carefully for any adverse impacts and make recommendations for adjustments that may be necessary.

*Question.* What additional efficiencies if any, do you believe the Department should undertake with regard to its military and civilian workforces?

Answer. I believe the revised strategy of the Department, as well as the need for increased fiscal constraint, demands constant assessments of the Department's total force. If confirmed, I will fully support ongoing Department efforts to identify additional efficiencies through program and mission prioritization while preserving the viability, capabilities, and competencies of our military and civilian workforces. However, identifying specific workforce efficiencies beyond those in the Department's fiscal year 2013 budget request would be premature.

ACQUISITION WORKFORCE

*Question.* Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

Do you believe that the DOD acquisition workforce development fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. Yes. I believe the fund is essential to continuing efforts to strengthen the acquisition workforce.

*Question.* If confirmed, what steps if any will you take to ensure that the money made available through the workforce development fund is spent in a manner that best meets the needs of DOD and its acquisition workforce?

Answer. If confirmed, I will work closely with the Under Secretary of Defense for Acquisition, Technology and Logistics and the Department components to ensure initiatives supported by the fund are sound, aligned with human capital strategies, and address highest priority workforce capability and capacity needs.

*Question.* Section 872 of the Ike Skelton NDAA for Fiscal Year 2011 codifies the authority for DOD to conduct an acquisition workforce demonstration project and extends the authority to 2017.

Do you believe it would be in the best interest of the Department to extend and expand the acquisition workforce demonstration project?

Answer. I believe as we continue efforts to strengthen the acquisition workforce capability, it is critical we review and use all authorities and tools available. I believe it is in the best interests of the Department to expand on a thoughtful, deliberate basis while we assess effectiveness. The Department is authorized by law up to 120,000 employee participants covered under acquisition demonstration projects. It is my understanding that today the Department has 15,300 employees, the majority of which returned to the demonstration project following the repeal of the National Security Personnel System (NSPS) as directed by the NDAA for fiscal year 2010. With that now complete, several acquisition organizations across all components have expressed interest in participating in the project. Project participation is voluntary and based on meeting acquisition related workforce demographic eligibility criteria. If confirmed, I will work with the Under Secretary of Defense for Acquisition, Technology and Logistics to ensure leaders are oriented to the design and

see the value of participation before they socialize, train, and prepare their organizations.

*Question.* What steps would you take, if confirmed, to implement section 872?

Answer. If confirmed, I will work closely with the Under Secretary of Defense for Acquisition, Technology and Logistics and the Department components to ensure the Department is effectively positioned to expand the Acquisition Demonstration project as necessary.

LABORATORY PERSONNEL DEMONSTRATION PROGRAM

*Question.* The laboratory demonstration program founded in section 342 of the NDAA for Fiscal Year 1995 as amended by section 1114 of the NDAA for Fiscal Year 2001, section 1107 of the NDAA for Fiscal Year 2008, section 1108 of the NDAA for Fiscal Year 2009, and section 1105 of the NDAA for Fiscal Year 2010, paved the way for personnel management initiatives and new flexibilities at the defense laboratories. These innovations have been adopted in various forms throughout other DOD personnel systems.

If confirmed, will you fully implement the laboratory demonstration program and the authorities under these provisions?

Answer. Yes, if confirmed I will work to fully implement the laboratory demonstration program.

*Question.* If confirmed, will you ensure that the directors of the defense laboratories are provided the full range of personnel flexibilities and authorities provided by Congress?

Answer. Yes, if confirmed, I will work with the directors of the defense laboratories to provide the full range of personnel flexibilities.

DOD SCIENTIFIC AND TECHNICAL PERSONNEL

*Question.* Recently, the Department issued guidance, as part of its efficiencies initiatives, to centralize certain hiring authorities, including for Highly Qualified Experts and Inter-Governmental Personnel Assignment positions. Both are heavily used by the Department's scientific and technical (S&T) enterprise, including the DOD's laboratories and the Defense Advanced Research Projects Agency. The benefit of these authorities is to use them to make rapid hiring decisions for individuals in a highly competitive national S&T jobs market. However, there is concern that the centralization of the process will actually slow down the Services' and defense agencies' ability to hire rapidly.

What will you do to ensure that these special hiring authorities are not negatively impacted in terms of allowing DOD to rapidly hire these types of highly specialized individuals?

Answer. If confirmed, I would ensure the Department actively engages in initiatives to streamline and reform the civilian hiring system, to include efforts to ensure that the Department's processes for using special hiring authorities are efficient in fulfilling mission needs.

*Question.* Under the Military Accessions Vital to National Interest (MAVNI) program, the Department is able to expedite U.S. citizenship for foreign nationals that enlist in the military and have either specialized medical or linguistic skills.

How could this program be extended to include, subject to appropriate security reviews, highly skilled scientific and technical foreign nationals—e.g., graduates of U.S. universities with doctorates in fields DOD has a demand for and where less than half of these graduates are U.S. citizens?

Answer. It is my understanding that 1,000 personnel were recruited under MAVNI in 2009, as a one-year pilot. I understand the Department is completing a 2-year extension of the MAVNI pilot program with a restart by summer 2012 for a 2-year pilot program. If confirmed, I look forward to learning more about this program and assessing what changes may be appropriate. My understanding at this time is that the Department believes the program is appropriately scoped.

FOREIGN LANGUAGE PROFICIENCY

*Question.* A Foreign Language Transformation Roadmap announced by the Department on March 30, 2005, directed a series of actions aimed at transforming the Department's foreign language capabilities, to include revision of policy and doctrine, building a capabilities based requirements process, and enhancing foreign language capability for both military and civilian personnel.

In your view, what should be the priorities of the Federal Government to expanding the foreign language skills of civilian and military personnel and improving coordination of foreign language programs and activities among the Federal agencies?

Answer. I believe priorities for the Federal Government for expanding foreign language skills should include: building a globally competent workforce by integrating Federal programs to educate a larger pool of U.S. citizens beginning in pre-school and continuing through their educational journey in high school and college; expanding select learning opportunities such as The Language Flagship Program that builds a pool of highly skilled language professionals from which all Federal Government agencies can recruit; and partnering with academia, interagency and international partners to expand and strengthen the pipeline for the Federal Government's workforce in critical foreign languages.

I believe we can improve coordination among Federal agencies by utilizing existing organizations such as the National Security Education Board.

*Question.* What changes, if any, would you recommend for the current set of DOD language proficiency programs?

Answer. I believe our goal is to increase the proficiency level of personnel with languages that are most critical to our mission, as well as to establish viable career paths for individuals with needed language, regional, and cultural skills. If confirmed, I would continue to support the Department's vision and ongoing efforts to systematically identify and build language proficiency in a comprehensive, collaborative, and holistic manner. Recognizing that the Department cannot do this alone, if confirmed, I will focus on both internal and external partnerships to build and institutionalize these vital skills in our Nation.

GI BILL BENEFITS

*Question.* Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 (Post-9/11 GI Bill) that created enhanced educational benefits for servicemembers who have served at least 90 days on active duty since September 11. The maximum benefit would roughly cover the cost of a college education at any public university in the country.

What unresolved issues related to implementation of the Post-9/11 GI Bill (e.g., coverage of additional military personnel) do you consider most important to be addressed?

Answer. It is my understanding the Department has not identified any additional unresolved issues. I believe the provisions of the Post-9/11 Educational Assistance Improvement Act corrected any major issues in the original statute that had the greatest impact on the Department.

*Question.* What is your assessment of the impact of the Post-9/11 GI Bill on recruiting and retention, including the provision of transferability for continued service?

Answer. I believe it is too early to empirically determine the impact of the Post-9/11 GI Bill on either recruiting or retention, though anecdotally it appears to have positive effects.

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. If confirmed, I look forward to appearing before this committee and other appropriate committees in support of our Nation's servicemembers.

*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 Personnel and Readiness?

Answer. If confirmed, I will appear before this committee, or designated members of this committee, and provide information in support of our Nation's servicemembers.

*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. If confirmed, I will ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees.

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

Answer. If confirmed, I agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KAY R. HAGAN

PERSONNEL HIRING AUTHORITIES

1. Senator HAGAN. Ms. Conaton, over the years, this committee has realized that it is of critical national security importance that DOD recruit and retain the Nation's best and brightest scientists and engineers for its Research, Development, Test and Evaluation enterprise to ensure we have the most technologically-advanced weapons systems. In order to achieve this goal, this committee has developed a wide range of personnel authorities aimed at providing greater flexibilities in hiring and promoting this segment of DOD's workforce, given the stiff competition that DOD faces with industry and other technology sectors. Will you work with this committee to ensure these authorities are exercised to the greatest possible extent?

Ms. CONATON. Yes, if confirmed, I will work with the committee to ensure the full range of personnel authorities are exercised to the greatest possible extent.

2. Senator HAGAN. Ms. Conaton, as a result of actions to increase efficiencies in DOD, it appears that there is increased centralization of personnel actions for positions such as for Interagency Personal Agreements, Highly Qualified Experts, and section 1101 positions at agencies such as the Defense Advanced Research Projects Agency (DARPA). The concern is that this centralization will lead to delays in hiring decisions that will have a direct negative impact on the responsiveness and flexibilities that are needed. Will you ensure that your office will work with the DOD labs, and other science and technology organizations like DARPA, to ensure that these centralized personnel actions will not have a negative impact on their hiring?

Ms. CONATON. Yes, if confirmed, I will ensure the Department actively engages in initiatives to streamline and reform the civilian hiring system, to include efforts to ensure that the Department's centralized hiring processes are efficient in fulfilling hiring needs.

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[The nomination reference of Hon. Erin C. Conaton follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 24, 2012.*

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

Erin C. Conaton, of the District of Columbia, to be Under Secretary of Defense for Personnel and Readiness, vice Clifford L. Stanley.

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[The biographical sketch of Hon. Erin C. Conaton, which was transmitted to the committee at the time the nomination was referred, follows:]

*Education:*

- Georgetown University
  - September 1989–June 1992
  - Bachelor of Arts Degree in foreign service, awarded June 1992
- Tufts University, The Fletcher School
  - September 1993–June 1995
  - Master of Arts Degree in law and diplomacy awarded June 1995

*Employment Record:*

- Air Force
  - Under Secretary
  - March 2010–present

- U.S. House of Representatives
  - Staff Director, Committee on Armed Services
  - 2007–2010
- U.S. House of Representatives
  - Minority Staff Director, Committee on Armed Services
  - 2005–2007
- U.S. House of Representatives
  - Professional Staff Member, House Armed Services Committee 2001–2005
- U.S. Commission on National Security/21st Century—Hart-Rudman Commission
  - Research Staff Director and Research Associate
  - 1998–2001
- Central Intelligence Agency
  - Graduate Fellow
  - 1998
- The Fletcher School, Tufts University
  - International Security Studies Fellowship
  - 1996–1997
- Overseas Private Investment Corporation
  - Associate
  - 1995
- National Security Council
  - Graduate Fellow
  - 1994
- Yield Enhancement Strategists, Inc.
  - Director of Client Services
  - 1993
- Salomon Brothers, Inc.
  - Financial Analyst
  - 1992–1993

*Honors and Awards:*

- Graduate Fellow, Central Intelligence Agency (1998)
- National Finalist, White House Fellows Program (1998)
- Graduate Fellow, Central Intelligence Agency (1998)
- International Security Studies Fellowship, The Fletcher School of Law and Diplomacy (1996-1997)
- Jacob K. Javits Fellowship (1993-1997)
- Graduate Fellow, National Security Council (1994)
- Graduated magna cum laude, Phi Beta Kappa from Georgetown University as a School of Foreign Service Scholar and recipient of Dean's Citation for Service (1992)

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Hon. Erin C. Conaton in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Erin Cathleen Conaton.

2. **Position to which nominated:**
Under Secretary of Defense for Personnel and Readiness.

3. **Date of nomination:**
January 24, 2012.

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 26, 1970; Hackensack, NJ.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single.

7. **Names and ages of children:**
None.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
The Fletcher School of Law and Diplomacy, Tufts University, 1993–1998, received Master of Arts in Law and Diplomacy in May 1995; continued on to the Ph.D. and left completing all requirements except the doctoral dissertaton.
School of Foreign Service, Georgetown University, 1988–1992, graduated with a Bachelor of Science in Foreign Service in May 1992.
Immaculate Heart Academy, Washington Township, NJ, 1984–1988; received high school diploma 1988.

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.
Under Secretary of the Air Force, U.S. Department of Defense, March 2010–present (March 2012).
Staff Director, Committee on Armed Services, U.S. House of Representatives, Washington DC, January 2007–March 2010.
Minority Staff Director, Committee on Armed Services, U.S. House of Representatives, Washington DC, September 2005–January 2007.
Professional Staff Member, Committee on Armed Services, U.S. House of Representatives, Washington DC, June 2001–September 2005.

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.
N/A.

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.

N/A.

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

Fletcher Alumni Association of Washington, DC, member, 1998–present

Capitol Hill Historical Society, member 2008–present

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

N/A.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

Volunteer member of defense policy team for Obama/Biden Campaign, 2008.

(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.

$2,300 Obama for America, 2008

$50 DCCC 2011

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

1998, National Finalist, White House Fellows Program

1998, Graduate Fellow, Central Intelligence Agency

1996–1997, International Security Studies Fellowship, The Fletcher School of Law and Diplomacy

1993–1997, Jacob K. Javits Fellowship

1994, Graduate Fellow, National Security Council

1992, Graduated magna cum laude, Phi Beta Kappa from Georgetown University as a School of Foreign Service Scholar and recipient of Dean's Citation for Service

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

Conaton, Erin C. and Rudy Barnes. "Air Force Implementation of the National Space Policy: Space Situational Awareness and Launch." High Frontier, Volume 7, Number 2, February 2011, pp. 9–12.

Conaton, Erin C. and Laurent L. Jacque. Management and Control of Foreign Exchange Risk (A Guide for Instructors). Kluwer Academic Press, 1997.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies and are on topics relevant to the position for which you have been nominated.

[Nominee responded and the information is contained in the committee's executive files.]

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

[The nominee responded to 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.]

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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.

ERIN C. CONATON.

This 21st day of March, 2012.

[The nomination of Hon. Erin C. Conaton was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Mrs. Jessica Lynn Wright by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I believe that the Goldwater-Nichols Act has greatly contributed to the strong framework for today's joint warfighting capabilities. It has significantly improved inter-service and joint relationships, promoting greater effectiveness of the Military Departments and combatant commands (COCOM).

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Currently I am unaware of any areas where modifications are needed. If I am confirmed, I would have an opportunity to assess any further need to legislative modifications.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for this position?

Answer. I have served this country in uniform for over 35 years, a large part of that time in key leadership positions as an Active Guard Reserve officer as well as a traditional Reserve component member. My last assignment for over 7 years was as The Adjutant General of the Commonwealth of Pennsylvania and Commander of the Pennsylvania National Guard where I worked with a wide variety of officials at the Federal, State, and local levels.

During that time, I was responsible for a vast array of programs and activities including the personnel, equipping, training, mobilizations, deployment and demobilizations of over 20,000 guards men and women, the management and implementation of the Pennsylvania National Guard responsibility for the National Special Security Event G–20, the role the Pennsylvania National Guard played in providing support to Hurricane Katrina, and several aspects of the Presidential Inauguration in January 2009, to name just a few. I was also responsible for all of the veterans programs within the Commonwealth as well as our family support networks, Yellow Ribbon and Employer Support of the Guard and Reserve (ESGR) Programs.

Since retirement in November 2010, I have worked in the Office of the Secretary of Defense as the Deputy Assistant Secretary of Defense for Reserve Affairs (Man-

power and Personnel) and Acting Principal Deputy Assistant Secretary of Defense for Reserve Affairs.

MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next Assistant Secretary of Defense for Reserve Affairs?

Answer. A key challenge, from my perspective, is to sustain the Reserve component as an integral part of the All-Volunteer Total Force, and at the same time protect and enhance the skills gained in a decade of conflict. Unemployment and underemployment of our returning troops is a growing concern along with allowing new ideas to flourish to build strength and resiliency in the families.

*Question.* If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I expect to focus on maintaining a balance for servicemembers, families, and employers. I believe we need to utilize the continuum of service to sustain the All-Volunteer Force with flexible service options. I intend to apply the Department's utilization rules that govern the frequency and duration of activations. This would provide predictability for servicemembers, thereby managing the expectations of our servicemembers, their families, and employers.

DUTIES

*Question.* Section 138 of title 10, U.S.C., provides that the Assistant Secretary of Defense for Reserve Affairs shall have as her "principal duty the overall supervision of Reserve component affairs of the Department of the Department of Defense (DOD)."

Assuming you are confirmed, what duties do you expect that the Secretary of Defense will prescribe for you?

Answer. If confirmed, I would make it a priority to meet with Citizen Warriors, their families, and employers to make sure I understand their concerns and carry that message back for possible resolution. I would strive to be a voice for the Reserve components. I feel that it would be necessary to meet with the Reserve chiefs, combatant commanders, and other gaining force commanders, to understand their views and expectations. I would then carry that message as an advisor to the Secretary of Defense.

*Question.* In carrying out these duties, what would be your relationship with the following officials?

The Secretary of Defense.

Answer. If confirmed, I would report through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) to the Secretary of Defense; this position reports directly to the USD(P&R).

*Question.* The Deputy Secretary of Defense.

Answer. If confirmed, the same will hold true for Deputy Secretary Carter.

*Question.* The Under Secretary of Defense for Personnel and Readiness.

Answer. If confirmed, I intend to work with the Under Secretary in whatever framework that is established. I will strive to have transparent information flow both in and out.

*Question.* The Principal Deputy Under Secretary of Defense for Personnel and Readiness.

Answer. If confirmed, I intend to have a transparent relationship with the Principal Deputy Under Secretary of Defense for Personnel and Readiness and support her efforts to support the USD.

*Question.* The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. If confirmed, I will develop a collaborative relationship with Assistant Secretary Stockton.

*Question.* The General Counsel of DOD.

Answer. If confirmed, I will seek his advice and counsel on matters that fall under the purview of his office.

*Question.* The combatant commanders, particularly the Commander, U.S. Northern Command.

Answer. If confirmed, I intend to have open communication with U.S. Northern Command and all of the combatant commanders.

*Question.* The assistant secretaries in the Military Departments responsible for Reserve matters.

Answer. If confirmed, I would ensure that the Office of the ASD/RA has open communications with the assistant secretaries at all levels.

*Question.* The Chief of the National Guard Bureau.

Answer. I believe he is a key partner and the channel of communication between the Services and the 54 States and Territories. If confirmed, I will foster an open dialogue.

*Question.* The Chiefs of Reserves of each of the Services.

Answer. I believe all the Reserve Chiefs are key stakeholders and if confirmed would work to foster open and frank dialogue.

*Question.* The assistants to the Chairman of the Joint Chiefs of Staff for Guard and Reserve Matters.

Answer. I believe an open and transparent relationship must exist between the ASD/RA and the office of the Joint Chiefs of Staff for Guard and Reserve Matters. If confirmed, I would develop this communication.

*Question.* The Reserve Forces Policy Board.

Answer. In the 2011 National Defense Authorization Act (NDAA), sponsorship within DOD has passed to the Under Secretary of Defense for Personnel and Readiness. If confirmed, I will continue an open relationship with the independent Board and facilitate RA staff in providing information and research on key topics impacting our Reserve components when asked.

*Question.* The State Governors and the Adjutants General of the States.

Answer. If confirmed, I would ensure the OSD/RA has an open and collaborative relationship, using the Chief, National Guard Bureau as a channel of communications. If confirmed, I would work with Dr. Stockton and the Council of Governors.

RECRUITING AND RETENTION

*Question.* Some have expressed concern that use of the Reserve component as an operational force and the regular mobilizations of Reserve component members will have an adverse effect on recruiting and retention in the Reserve components.

If confirmed, what actions will you take to enhance recruiting and retention of experienced members of the Reserve components?

Answer. To date, Reserve component recruiting and retention goals have been met for the department, in both quantity and quality and I fully anticipate them to be met through the remainder of the fiscal year. As such, I believe the current incentives/benefits programs appear to be working.

If confirmed, maintaining open and effective communication with the Reserve Chiefs and their subordinate leaders will ensure I understand their needs in these areas. I also believe that Office of the Assistant Secretary of Defense for Reserve Affairs should encourage and facilitate new ideas and approaches that adapt to changes that may occur in recruiting the highest quality members and retaining the experience necessary to meet the Nation's future challenges.

MEDICAL PERSONNEL RECRUITING AND RETENTION

*Question.* Much of the medical infrastructure for DOD is in the Reserve components. DOD has experienced significant shortages in critically needed medical personnel in both the Active and Reserve components. The committee is concerned that growing medical support requirements will compound the already serious challenges faced in recruitment and retention of medical, dental, nurse, and behavioral health personnel.

What is your understanding of the medical support requirements in the Reserve components and the sufficiency of plans to meet recruiting and retention goals in these specialties?

Answer. It is my understanding that medical recruiting has remained strong across the Services with the exception of some critical wartime specialties. These deficits are reflective of the availability of those professionals in the civilian population as well as their economic vulnerability with a mobilization. I believe the Services have consistently and exceptionally met operational medical missions often enabled by our stateside Medical Treatment Facility purchased care system.

*Question.* What legislative and policy initiatives, including greater involvement of personnel in recruiting and enhanced bonuses and special pays, do you think may be necessary to ensure that the Reserve components can continue to meet medical support requirements?

Answer. I believe it will be critical to continue to fund accession and retention bonuses and special pays to meet recruiting and retention missions. If confirmed, I will work with the Services to ensure a Total Force approach for pay management offering the greatest flexibility for each of the Services to meet long term health care recruiting and retention goals is available.

SEXUAL ASSAULT PREVENTION AND RESPONSE

*Question.* The Department has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assaults, including providing appropriate resources and care for victims of sexual assault. However, numerous incidents of sexual misconduct involving military personnel continue to occur.

In the context of the Reserve components, do you consider the current sexual assault policies and procedures to be effective?

Answer. The Guard and Reserve have extensive policies, procedures and trained staff in place to deal with incidents of sexual assault. If confirmed, I will work with colleagues in OSD and the Services to review these procedures and ensure they are effective.

*Question.* What is your assessment of the adequacy of support systems and processes for victims of sexual assault in the Reserve components?

Answer. The Guard and Reserve have outstanding personnel trained to support victims of sexual assault. If confirmed, I will review these systems and processes in the Reserve components to assess their effectiveness.

*Question.* What is your assessment of the authorities available to Reserve component commanders to hold assailants accountable for sexual assault?

Answer. It is my understanding that the Services in coordination with the DOD Sexual Assault Prevention and Response Office have the required authorities to hold assailants accountable. If confirmed, I will continue to review these authorities to ensure that we are facilitating the opportunity for our servicemembers to serve with dignity and have confidence in their peers and leaders.

ENHANCED RESERVE MOBILIZATION AUTHORITIES

*Question.* In the NDAA for Fiscal Year 2012, Congress authorized the Service Secretaries to mobilize units and individuals in support of preplanned combatant command (COCOM) missions for up to 365 consecutive days. In the new defense strategy announced in January, the President and Secretary of Defense stated that while conventional ground forces will be reduced, special forces will be increased over the next 5 years, and a key component of the new strategy seems to be the establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened.

What is your assessment of the operational reserve and how it will fit into this new paradigm of forces rotating into and out of multiple locations of strategic interest?

Answer. I would consider this an opportunity to sustain the readiness that we have achieved in the past 10 years. This new authority will give Service Secretaries more autonomy and flexibility in sourcing COCOM requirements through the use of their Reserve components.

*Question.* What is your view of the appropriate size and makeup of the Reserve components in light of the new defense strategy?

Answer. I think that the Services should take advantage of this new authority when making decisions on restructuring their forces. Utilization of the Reserve components as a partner in the rotational support to COCOMs should reduce the infrastructure required of a permanent party Active component in theater and relieve stress on the Total Force, thereby making the Reserve component an economical and viable partner in the force mix.

HOMELAND DEFENSE AND HOMELAND SECURITY

*Question.* What do you see as the appropriate role of the National Guard and Reserves in homeland defense and homeland security?

Answer. I know that the National Guard has a dual purpose and their participation in domestic threats is well founded in law and history. Recent changes to law have enabled the Reserves to also participate. I believe that homeland defense and homeland security is a total force responsibility, and that the Nation should take advantage of the extensive competencies and capabilities of the National Guard and Reserves in support of priority missions.

If confirmed, I will work to ensure the Guard and Reserves have the equipment, training, and personnel to accomplish their missions, both at home and abroad.

MOBILIZATION AND DEMOBILIZATION OF NATIONAL GUARD AND RESERVES

*Question.* Over the past decade, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems arose in the planning and procedures for mobilization and demobilization,

e.g., inadequate health screening and medical readiness monitoring, errors caused by antiquated pay systems, limited transition assistance programs upon demobilization, and lack of access to members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized as "inefficient and rigid" and readiness levels have been adversely affected by equipment stay-behind, cross-leveling, and reset policies.

What is your assessment of advances made in improving Reserve component mobilization and demobilization procedures over the past decade, and where do problems still exist?

Answer. It is my understanding that the paradigm of "Train-Mobilize-Deploy" provides predictability to servicemembers, their families, and employers. Additionally, this allows the units identified for mobilization to ramp up for deployment.

Servicemembers and their families receive TRICARE medical benefits and Yellow Ribbon training in advance of mobilization, increasing their fitness for duty and reducing the time necessary to mobilize. The standardization of procedures at home station allows the mobilization station to certify deployment readiness.

If confirmed, I will examine the current processes and work to address any challenges that exist.

*Question.* What do you consider to be the most significant enduring changes to the administration of the Reserve components aimed at ensuring their readiness for future mobilization requirements?

Answer. I believe one of the most significant enduring changes is the implementation of Service force generation plans that enable units to train and deploy on a more predictable time line.

*Question.* Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard and Reserves beyond the new mobilization authority in the NDAA for Fiscal Year 2012?

Answer. Two important changes were made and at this time, I don't believe that any additional changes are needed. However, if confirmed I will monitor the effect of the changes closely and propose changes where necessary.

LESSONS LEARNED

*Question.* What do you believe are the major personnel lessons learned from Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), and Operation New Dawn which you would seek to address if confirmed?

Answer. If confirmed, I would seek to mitigate the stress on the Total Force by ensuring the Services continue to utilize the National Guard and Reserves. I believe the Reserve components can continue to provide trained, ready, and cost-effective forces that can be employed on a regular operational basis, while also ensuring strategic depth for large-scale contingencies or other unanticipated national crises.

OPERATIONAL AND PERSONNEL TEMPO

*Question.* Current DOD policy is that Reserve component members should have 5 years of dwell time for each year they are mobilized.

What is your view of the achievability of this goal? What measures must be taken to be able to achieve it within 5 years?

Answer. I believe the Department is making progress toward that goal. I think the 1-to-5 dwell-time ratio is achievable. We must ensure that continuing efforts to rebalance Active and Reserve component units are outlined and set the conditions to comply with the Department's 1-year involuntary mobilization policy.

*Question.* In your view, how does the shift of resources from Iraq to Afghanistan affect dwell-time ratios?

Answer. I believe this shift has made the 1-to-5 dwell goal more attainable based on the lower demand for resources. If I am confirmed, my goal would be to continue policies that support the attainment of the 1-to-5 dwell goal for all Reserve components.

*Question.* What measures are being taken to respond to operational requirements for low-density, high-demand units, and personnel whose skills are found primarily in the Reserve components, e.g., civil affairs, medical personnel, and truck drivers?

Answer. I am told the Services are expanding capacity in selected areas, continuing to rebalance the AC/RC mix where appropriate, and using joint solutions. Force structure decisions and rebalancing are a continual process. If confirmed I intend to be involved in this process to ensure the Reserve components are used to the best advantage of the Total Force.

*Question.* In your judgment, what would be the impact on the current rates of operations and personnel tempo of assigning principal responsibility for support to

civil authorities for consequence management of natural, domestic disasters to Reserve component forces?

Answer. It is my understanding that to avoid this situation the Services are accounting for support to civil authority missions in their force generation models which is a good practice. I would not want to break faith with the servicemembers who have volunteered with the expectation that they would have the honor to defend this Nation on the homefront and overseas.

STRESS ON FAMILIES

*Question.* National Guard and Reserve families have been under great stress since 2001 as a result of multiple and lengthy deployments in OIF and OEF.

In your view, what are the key indicators of the stress on Reserve component families at this time?

Answer. From what I understand, some key indicators of stress on the Reserve component families include everything from communication issues to substance abuse, significant relationship issues and even domestic violence. I believe it is critical to track these trends and seek input from Military Family Life Consultants in order to best deal with these issues.

*Question.* If confirmed, what will you do to address these key indicators?

Answer. The Services are aware of and have multiple programs to address each of these issues and are available for leaders to implement. If confirmed, I would work to support these programs as well as the Yellow Ribbon Reintegration Program (YRRP) which connects Reserve component family members with assistance.

*Question.* What do you consider to be the most important family readiness issues in the National Guard and Reserves?

Answer. Predictability and communication are key issues faced by Reserve component family members. If confirmed I would work with the Services to provide awareness of and access to support services to ensure family readiness.

*Question.* If confirmed, how would you ensure support for Reserve component families, particularly those who do not reside near an Active-Duty military installation, related to mobilization, deployment, and family readiness?

Answer. If confirmed, I would ensure the Department's YRRP is properly focused and funded to address the issues faced by reservists, geographically dispersed Active Duty, their families and immediate support network. The program's proactive and preventive scope provides information, access, referrals, and outreach to military members, their families and immediate support network. This needs to be underwritten by a coordinated, community based network of care encompassing the Department, VA, State, local, and private providers. My goal would be to provide a full range of services available to Active, Guard, and Reserve members and their families.

*Question.* If confirmed, what additional steps would you take to ensure that family readiness needs, including child care, are addressed and adequately resourced?

Answer. I believe this is a critical area where DOD must not become "installation minded" but work to utilize community partners. If confirmed I would work to identify where there are service gaps in communities and build community capacity.

GUARD AND RESERVE UNEMPLOYMENT AND TRANSITION ASSISTANCE

*Question.* Many Guard and Reserve members return from deployment and cannot find employment or are underemployed.

If confirmed, how will you address unemployment issues regarding members of the Reserve components?

Answer. I believe that civilian employment is a critical readiness factor for the Reserve components. If confirmed, I will support ongoing efforts in Reserve Affairs and ESGR to connect servicemembers with military friendly employers who understand their continuing obligations.

INDIVIDUAL READY RESERVE

*Question.* The Commission on the National Guard and Reserves found that accessing the IRR as a viable source of manpower for the war has been problematic and that using the IRR as a solution for unit manning is a failed concept.

What is your view of the proper role of the IRR in force management planning?

Answer. The last 10 years of persistent conflict have allowed DOD to validate the resiliency and capabilities of an All-Volunteer Force. I believe the Total Force is best leveraged when an appropriate force mix of Active component and Reserve component members is achieved. In my view, the IRR must remain part of the total force planning strategy now and well into the future—particularly as a means to provide rapidly expanding capacity as the Services consider their structure and capability.

*Question.* If confirmed, what changes, if any, do you foresee making to the IRR recall policy?

Answer. The Services own and manage their respective IRRs, and utilize them as manpower requirements necessitate. At this time, I do not see the need for DOD to significantly affect the Services' IRR policy or procedures for mobilization. If confirmed I will remain committed to providing the necessary policy and guidance to support and shape this valuable resource for continued utilization.

*Question.* What is your view of policies affecting continued service by officer and enlisted personnel in the Reserve components who have fulfilled their MSO?

Answer. I am confident that the Service Secretaries have the appropriate management procedures to effectively engage and monitor participation for those members that have completed their military service obligation and desire a continued affiliation with military service. If confirmed, I will examine appropriate technologies to enhance training opportunities for those members that remain active participants, as well as to engage those members that wish to continue in service.

*Question.* What is your assessment of the adequacy of the system in place for members in the IRR receiving orders to Active Duty to request a delay or exemption for that activation, including the procedures in place for appealing the decision on that request?

Answer. I am confident that the Services have well-established processes for delay and exemption for IRR members. I am further confident that these requests, processed through their chain of command are handled in a timely manner and are fair and appropriate.

*Question.* What is your assessment of the value of the IRR to the All-Volunteer Force?

Answer. The IRR remains a critical enabler to the All-Volunteer Force. The IRR provides strategic depth to the operational as well as the strategic reserve with pretrained individual manpower, and can flex as manpower requirements dictate.

MEDICAL AND DENTAL READINESS OF NATIONAL GUARD AND RESERVE PERSONNEL

*Question.* Medical and dental readiness of Reserve component personnel remains an issue of significant concern to the committee, and shortfalls that have been identified have indicated a need for improved policy oversight and accountability.

If confirmed, how would you seek to clarify and coordinate reporting on the medical and dental readiness of the Reserves?

Answer. I believe medical readiness must remain a top priority, as it is critical for the success of the Reserve components. Currently, the Services report overall status on a quarterly basis to DOD's Force Health Protection agency, and the reports have shown steady progress in overall readiness. Dental readiness improved most dramatically due to new programs that offered dental restorative care along with the standard screening. If confirmed, I would continue to support efforts to standardize reporting efforts across the Services.

*Question.* How would you improve on the ability to produce a healthy and fit Reserve component?

Answer. It is my understanding that there is an impressive team of Preventive Health clinical experts who are crafting a multi-discipline, multi-community approach for DOD in collaboration with the National Prevention Strategy of the Office of the Surgeon General. DOD's effort addresses many of the core national preventive health issues identified by the Department of Health and Human Services. DOD participation on these working groups aligns with the national strategy to address our military community including the military families and civilian workforce that supports DOD. If confirmed, I would support these efforts.

HEALTH CARE FOR RESERVISTS

*Question.* Members of the Reserve and National Guard who are ordered to active duty for more than 30 days are eligible for the same health care and dental benefits under TRICARE as other Active Duty servicemembers.

What is your view of the adequacy of health care for Reserve component members?

Answer. I believe that proactive healthcare is tied to readiness and that improvements have been made when Reserve members are ordered to active duty or mobilized for greater than 30 days. Currently, Reserve members and their families receive TRICARE coverage both pre- and post-mobilization. Members of the Individual Ready Reserve (IRR) are not eligible to purchase TRICARE Reserve Select (TRS), but may purchase dental coverage. I believe the department continues to make progress in mental health care access and coverage for our Reserve members and their families, particularly for those injured while serving.

*Question.* What are your suggestions for improving continuity of care for Reserve members and their families?

Answer. I believe continuous medical coverage is essential for Reserve members and their families during their transitions from civilian to military status. TRS has provided a bridge to improve continuity of care and has improved satisfaction for members and their families who have purchased this option. If confirmed, I would look at the feasibility of extending eligibility for TRICARE to members of the IRR who are currently not eligible for this option.

*Question.* TRICARE Reserve Select authorizes members of the Selected Reserve and their families to use TRICARE Standard military health care program at a subsidized rate when they are not on active duty.

What is your assessment of TRICARE Reserve Select and its level of utilization in the Reserve components?

Answer. I believe there has been steady growth of TRS enrollment to nearly 20 percent of the eligible reservists. Members pay premiums that reflect 28 percent of the total cost of the coverage. TRS is important for our members, and is a competitive option for their health care needs. Additionally, I believe that this availability can improve readiness.

*Question.* What impact has TRICARE Reserve Select had on recruiting for the Reserve components?

Answer. I believe that TRICARE Reserve Select is an incentive for recruiting and even more for retention, particularly for retaining those members of the Reserve components that are self-employed. TRS provides a means for Reserve component members to maintain their health and individual medical readiness. TRS also provides an affordable continuum of health care for members and their families who might otherwise be required to change health plans and providers during each transition between military and civilian status.

*Question.* One of the major concerns for military family members is access to health care. Military spouses tell us that the health care system is inundated, and those stationed in more remote areas may not have access to adequate care, a particular concern for members of the Reserve components.

If confirmed, what steps would you take to ensure complete access to health care for the families of members of the Reserve components?

Answer. I believe we must ensure that TRS premiums remain affordable for members and their families. If confirmed, I would partner with Health Affairs to improve complete access to health care for Reserve component family members.

NATIONAL GUARD EQUIPMENT AND READINESS

*Question.* Numerous changes to the roles and responsibilities of the National Guard and Reserves have occurred in recent years, including elevating the Chief of the National Guard Bureau to membership on the Joint Chiefs of Staff. Additionally, over the past 10 years, the Army has relied on its Reserve components to deploy in support of operations in Afghanistan and Iraq, as well as other operations worldwide. To supply ready forces, the Army implemented a rotational readiness model for its Active and Reserve components based on a cycle of increased training until a period of eligibility for deployment. Under this force generation system, Reserve units would be equipped to readiness levels that mirror the active force. The 2012 Defense Strategic Guidance stressed that the Department will need to examine the mix of Active and Reserve component elements best suited to the new strategy and stated that expected pace of operations over the next decade will be a significant driver in determining an appropriate mix of Active and Reserve component forces and level of readiness. The Guidance also stressed the need for a robust homeland defense.

How would reducing the pace of operations affect the Active and Reserve component mix and Reserve readiness?

Answer. I believe that even as the pace of operations declines, placing the Reserve components in the Service rotational models preserves readiness, permits the active force to reset and train, and provides an efficient use of the total force. I believe this may be a reduced overall cost. Continued training within the Reserve components will remain an important part of this model.

*Question.* In your view, how will the missions of the Reserve components change to meet these new priorities?

Answer. I believe the Reserve components are well positioned today to meet the demands of the new strategy. The Reserve components are well suited for security force assistance missions, providing forces for long-term stability operations, and fighting side-by-side with their Active component counterparts in major combat op-

erations. Being located in communities throughout the United States makes them the ideal force for Homeland Defense missions.

*Question.* How would you provide the "strong, steady-state force readiness" for the Nation as it rebalances its Reserve component forces?

Answer. I believe the service force generation models provide the best opportunity to maintain a ready Reserve component force that can contribute routinely to the overall operational force. If confirmed I intend to work closely with the Services and Joint staff to ensure a ready Reserve component that contributes to the efficient use of the Total Force.

NATIONAL GUARD AND RESERVE BUDGETING

*Question.* If confirmed, what role would you play, if any, in the Department's budget formation process for the Reserve components?

Answer. I believe that the role of the ASD(RA) is to serve as an advisor to the Secretary of Defense on all matters pertaining to Planning, Programming, Budgeting and Execution System for the Reserve components within DOD. As such, the budget estimates are prepared by the Services and OSD reviews for sufficiency and balance. If confirmed, I would hope to provide input to, and coordination on, the overall DOD Budget Justification Book, especially with respect to the Reserve components.

*Question.* How does DOD's annual budget request document priorities and proposed funding levels for equipment procurement for each of the Reserve components?

Answer. The Service budgets reflect equipment requests and needs for all of their components. It is my understanding that those estimates may not always reflect the full requirement. If confirmed, I plan to consider all available options to capture this important information and improve transparency.

*Question.* What changes, if any, would you make to the process or documentation of the equipment-related funding request for the Guard and Reserve?

Answer. If confirmed, I would support all efforts to improve transparency, visibility and coordination of the development of combined Active and Reserve equipment estimates.

*Question.* How would you improve oversight of Reserve component budget execution, particularly to increase the transparency of the Reserve components' execution of their annual appropriations for personnel, operations, and procurement?

Answer. National Guard and Reserve components have separate appropriations for operations and personnel. This allows us the needed transparency to perform our oversight role and assess the Service's budget requests and appropriations each year. If confirmed, I would work closely with the Reserve component chiefs on ways ASD(RA) could help them utilize needed funds reprogramming and other management tools to improve budget execution. If confirmed, I would look for opportunities to increase transparency.

EVOLVING ROLES OF NATIONAL GUARD AND RESERVE IN THE DEFENSE ESTABLISHMENT

*Question.* The roles and responsibilities of the National Guard and Reserve have evolved over the last 10 years particularly given their successful preparation and participation in support of the wars in Iraq and Afghanistan. The practical result is that the Reserve component is now trained, equipped, and more ready than ever as an operational rather than a strategic reserve.

What is your assessment of the changes, if any, over the past 10 years in the expected levels of readiness of the Guard and Reserve prior to mobilization?

Answer. The past 10 years of conflict have made the Reserve components the most ready force in history. My assessment is that there will need to be appropriated baseline funding levels to support these readiness levels.

*Question.* How do these changes affect the manning, equipping, training, and budgeting for the Reserve component as an operational reserve as opposed to its historical role as a strategic reserve?

Answer. I believe to function as an operational reserve, the Services must provide baseline funding for required training, equipping, and operational use.

*Question.* In your view, what changes, if any, are required to DOD or Military Department policies or programs to sustain the Reserve component as an operational reserve?

Answer. Currently, the Services' Yellow Ribbon activities are funded entirely through Overseas Contingency Operations (OCO) funds. As these funds draw down I believe it is vitally important that we identify a more sustainable funding stream to ensure that resources will continue to be available to support the enduring requirement for reintegration activities for an operational reserve force.

RESERVE FORCES POLICY BOARD

*Question.* What is your view of the appropriate role, function, and membership of the Reserve Forces Policy Board (RFPB)?

Answer. I see the Reserve Forces Policy Board as a highly valued source of independent advice to the Department. The structure and reporting line for the RFPB was modified to bring in outside experts and to give the Board direct advisory access to the Secretary of Defense.

EMPLOYMENT OF FULL-TIME SUPPORT PERSONNEL

*Question.* Active Guard and Reserve personnel providing full-time support are not authorized to perform State Active-Duty missions even in emergencies or disaster situations. On occasion, this can deny an important resource such as an aviation capability to a Governor in need of assistance.

Do you think, as a matter of policy, AGR members should be authorized in limited circumstances to perform limited State Active-Duty missions?

Answer. The law prohibits title 10 AGR servicemembers from providing full-time support for State Active-Duty missions. I see no reason that DOD policy should be inconsistent with this law. As I understand, title 32 AGR members have limited authority to perform these duties.

*Question.* Under what circumstances, if any, do you believe such use should be authorized?

Answer. I believe that AGRs should be used under extreme circumstances with strict coordination with their higher headquarters when time and life saving measures are of the essence. If confirmed, and if those circumstances exist and a change in law is warranted, I would work with stakeholders to draft the change and submit the proposal for consideration.

REPEAL OF "DON'T ASK, DON'T TELL"

*Question.* What is your assessment of the effect in the Reserve components of the repeal of the Don't Ask, Don't Tell policy?

Answer. It is my understanding that the Service and COCOM continue to provide monthly progress reports on the implementation of repeal to the Secretary of Defense. The Services are responsible for implementation and training of their Reserve components. To my knowledge, repeal is going smoothly and there have been no significant repeal-related issues.

GI BILL BENEFITS

*Question.* Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 ("Post-9/11 GI Bill") that created enhanced education benefits for servicemembers who have served at least 90 days on active duty since September 11. Many Reserve component members have earned these benefits by virtue of their mobilizations.

What is your assessment of the effect of the Post-9/11 GI Bill on recruiting and retention in the Reserve components?

Answer. While the Department continues to assess the effects on recruiting and retention, I believe that this benefit has had a positive effect on both recruiting and retention and will continue to do so. Also, I understand the transferability provision of the Post-9/11 GI Bill has been extremely popular with the career Reserve component force.

*Question.* What is your understanding of the sufficiency of the implementation plan for the transferability provisions contained in the act?

Answer. The Services are implementing the transferability plan and I am not aware of any unresolved issues relating to transferability.

Montgomery GI Bill (MGIB) education benefits for members of the Selected Reserve under chapter 1606 of Title 10, U.S.C., are an important recruiting and retention incentive. However, the level of the monthly benefit has not risen proportionately over time with that of MGIB benefits payable to eligible veterans under chapter 30 of title 38, U.S.C.

*Question.* What is your view of the adequacy of the current monthly benefit levels under the MGIB for Selected Reserve?

Answer. I think there are indications that the current monthly benefit level has not kept pace with the rising cost of education.

*Question.* Would you recommend any changes to this program?

Answer. If confirmed I will work with the Services to review the level of benefit and seek congressional support if any changes are needed.

CIVIL-MILITARY PROGRAMS

*Question.* The DOD STARBASE program is an effective community outreach program currently operating at about 60 locations throughout the United States that operates under the oversight of the Assistant Secretary of Defense for Reserve Affairs.

What is your view of the STARBASE program?

Answer. The President has taken a position to make math and science education a national priority. The DOD STARBASE program is an outstanding program that supports this effort through a three-way partnership between the military, the local communities and the school districts which advanced the culture of educating and developing our Nation's youth in both the military and civilian communities.

*Question.* Do you believe that Guard and Reserve personnel should be involved in the STARBASE program?

Answer. Yes, because the students benefit by becoming exposed to the military culture which values knowledge, opportunity, and diversity.

*Question.* Do you believe it is appropriate to fund this program through the DOD budget? How well is it coordinated with other DOD science, technology, engineering, and mathematics outreach programs?

Answer. Yes, I believe DOD should continue to provide funding for this program. The STARBASE Program as part of the overall Science, Technology, Engineering, and Mathematics initiative is coordinated through the interagency process.

*Question.* The National Guard Youth Challenge Program was established in 1993 to help at-risk youth improve their life skills, education levels, and employment potential. Over time, the share of Federal funding decreased to 60 percent.

What is your view of the National Guard Youth Challenge Program?

Answer. The President has taken a position to address the high school dropout crisis and the National Guard Youth Challenge Program helps address this dropout crisis. It is a productive and outstanding performing program. I believe studies have shown that graduates of the Youth Challenge Program were much more likely to have obtained a high school diploma or a General Education Development certificate and earn college credits and more likely working.

*Question.* Do you believe this program should be funded through the DOD budget, or through some other means?

Answer. The National Guard Youth Challenge Program should be funded and managed by DOD and operated by the National Guard because of the strong military linkage which is a key element to the program's success, and because of the close National Guard/community connections.

YELLOW RIBBON REINTEGRATION PROGRAM

*Question.* The committee has learned that in fiscal year 2012, nearly 30 percent of the funds appropriated for support of the YRRP will be allocated to employment and hiring initiatives for members of the Guard and Reserve, including funding of 60 employment specialists to coordinate State and local employment initiatives. Congress established the YRRP in the NDAA for 2008 to improve access to a broad range of family support programs before, during and following deployments.

If confirmed, how will you ensure that the redirection by DOD of a significant portion of the YRRP resources will not erode the availability of other needed services, including counseling, substance abuse and behavioral health support, that must be provided to members of the Guard and Reserve returning from deployments?

Answer. I believe that the YRRP is dedicated to providing a variety of resources to assist servicemembers with transitioning back into their communities. If confirmed, I will support the YRRP in continuing to provide all of the essential services required in statute while maintaining flexibility to direct funding towards meeting emerging needs.

COMPREHENSIVE REVIEW OF THE FUTURE ROLE OF THE RESERVE COMPONENT

*Question.* Please provide your assessment of the results of the Comprehensive Review of the Future Role of the Reserve component published in April 2011.

In your view, did the review achieve its objectives?

Answer. In my view, yes the review did achieve its objectives. The report objective was to outline the future roles and missions of the Reserve components. Among the findings the report clearly recommends best future uses of the Reserve components and offers a variety of law, policy, and regulatory change recommendations.

*Question.* What is your understanding of how and to what extent the report informed the new Defense Strategic Guidance?

Answer. The new Defense Strategic Guidance, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense" (5 January 2012), contains numerous concepts which are complimentary to those found in the Comprehensive Review of the Future Role of the Reserve component study. Specifically, I believe that six of the missions highlighted in the new strategic guidance are especially well-suited for the Reserve component, and the new strategic guidance offers significant opportunities for the Reserve component to contribute to the Total Force effort.

If confirmed, I would work to continue to seek efficiencies and provide better information to senior decisionmakers. Developing more robust and consistent costing methods will help DOD senior leaders better meet the recent Defense Strategic Guidance.

*Question.* If confirmed, what are the greatest challenges that you will face in applying the findings and recommendations of the Review to future decisions about the role of the Reserve components as part of our national defense strategy?

Answer. It is my understanding that DOD is considering implementation of these recommendations. The challenges will be implementation as Services develop their programs to support emerging Defense strategies in ever changing environments.

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. If confirmed, I look forward to appearing before this committee and other appropriate committees in support of our Nation's servicemembers.

*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 Reserve Affairs?

Answer. If confirmed, I will appear before this committee, or designated members of this committee, and provide information in support of our Nation's servicemembers.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided in a timely manner to this committee and its staff and other appropriate committees?

Answer. If confirmed, I will ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees.

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

Answer. If confirmed, I agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents.

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[The nomination reference of Mrs. Jessica L. Wright follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 24, 2012.*

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

Jessica Lynn Wright, of Pennsylvania, to be an Assistant Secretary of Defense, vice Dennis M. McCarthy, resigned.

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[The biographical sketch of Mrs. Jessica L. Wright, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF JESSICA L. WRIGHT

*Education:*

Alderson Broaddus College, 1970–1974, BA, May 1974
Webster University, 1991–1993, MA, June 1993

*Employment Record:*

November 8, 2010–Present: Department of Defense Deputy Assistant Secretary of Defense, RA (Manpower and Personnel) 1 June 2011 also assumed the duties "Acting" Principal Deputy Assistant Secretary of Defense, Arlington, VA

February 2004–November 2010, The Adjutant General, Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

June 2000–February 2004, Deputy Adjutant General—Army, Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

*Honors and Awards:*

Distinguished Service Medal
Legion of Merit (with Oak Leaf Cluster)
Meritorious Service Medal (with one Bronze Oak Leaf Cluster)
Army Commendation Medal
Army Achievement Medal
Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)
National Defense Service Medal (with one Bronze Star)
Global War on Terror Service Medal
Armed Forces Reserve Medal (with Gold Hourglass)
Army Service Ribbon
Army Staff Identification Badge
Senior Army Aviator Badge
Pennsylvania Commendation Medal
Pennsylvania Service Ribbon (with two Silver Stars)
Pennsylvania 20-Year Medal (with two Silver Stars)
Major General Thomas R. White Jr. Medal
General Thomas J. Stewart Medal
Governor's Unit Citation Lithuanian Medal of Merit
2000 ATHENA Recipient
2004 Honorary Doctorate—Alderson Broaddus College
2005 Gold Medallion—Chapel of the Four Chaplains
2005 Law and Justice Award—Sons of Italy
2006 Gold Medal Award—Pennsylvania Association of Broadcasters
2008 Honorary Doctorate—Peirce College
2009 Military Person of the Year—Veteran Community Initiatives, Inc.
2009 Distinguished Soldier Award—Union League of Philadelphia
2010 Founders Day Award—Lebanon Valley College

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mrs. Jessica L. Wright in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Jessica Lynn Wright, Maiden Name: Garfola.

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

3. **Date of nomination:**
January 24, 2012.

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:**
November 2, 1952; Charleroi, PA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Charles Edwin Wright.

7. **Names and ages of children:**
Philip Michael Wright, age: 22.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Alderson-Broaddus College, 1970–1974, BA, May 1974
Webster University, 1991–1993, MA, June 1993

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.
08 November 2010–Present: Department of Defense Deputy Assistant Secretary of Defense, RA (Manpower and Personnel) 1 June 2011 also assumed the duties "Acting" Principal Deputy Assistant Secretary of Defense, Arlington, VA
February 2004–November 2010: The Adjutant General, Commonwealth of Pennsylvania, Fort Indiantown Gap, PA
June 2000–February 2004; Deputy Adjutant General-Army, Commonwealth of Pennsylvania, Fort Indiantown Gap, PA

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.

National Guard Association of the United States, Member, 1975–Present
Pennsylvania National Guard Association of the United States, Member, 1975–Present
Association of the U.S. Army, Member, 1975–Present
Army Aviation Association of America, Member

13. **Political affiliations and activities:**
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.
None.
(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.
None.
(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.
None.

14. **Honors and Awards:** List all scholarships, fellowships, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
Distinguished Service Medal
Legion of Merit (with Oak Leaf Cluster)
Meritorious Service Medal (with one Bronze Oak Leaf Cluster)
Army Commendation Medal
Army Achievement Medal
Army Reserve Component Achievement Medal (with one Silver Oak Leaf Cluster and one Bronze Oak Leaf Cluster)
National Defense Service Medal (with one Bronze Star)
Global War on Terror Service Medal
Armed Forces Reserve Medal (with Gold Hourglass)
Army Service Ribbon
Army Staff Identification Badge
Senior Army Aviator Badge
Pennsylvania Commendation Medal
Pennsylvania Service Ribbon (with two Silver Stars)
Pennsylvania 20 Year Medal (with two Silver Stars)
Major General Thomas R. White Jr. Medal
General Thomas J. Stewart Medal
Governor's Unit Citation
Lithuanian Medal of Merit
2000 ATHENA Recipient
2004 Honorary Doctorate—Alderson Broaddus College
2005 Gold Medallion—Chapel of the Four Chaplains
2005 Law and Justice Award—Sons of Italy
2006 Gold Medal Award—Pennsylvania Association of Broadcasters
2008 Honorary Doctorate—Peirce College
2009 Military Person of the Year—Veteran Community Initiatives, Inc.
2009 Distinguished Soldier Award—Union League of Philadelphia
2010 Founders Day Award—Lebanon Valley College

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.
One article on ARNG Aviation published in the National Guard Association of the United States magazine. (2010)

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 gave multiple speeches during my time as Adjutant General of the PA National Guard. These would have been speeches at deployments, homecoming events, holiday events such as Veterans or Memorial Day, to Rotary clubs and Chambers of Commerce. I do not have copies.

17. **Commitments regarding nomination, confirmation, and service:**
(a) Have you adhered to applicable laws and regulations governing conflicts of interest?
Yes.
(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?
No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?
Yes.
(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?
Yes.
(e) Will those witnesses be protected from reprisal for their testimony or briefings?
Yes.
(f) Do you agree, if confirmed, to appear and testify upon request before this committee?
Yes.
(g) Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted committee, or to consult with the committee regarding the basis for any good faith delay or denial in providing such documents?
Yes.

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[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.]

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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.

JESSICA L. WRIGHT.

This 26th day of March, 2012.

[The nomination of Mrs. Jessica L. Wright was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Mrs. Katharina G. McFarland by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. I believe the current allocation of responsibility for acquisition-related matters in title 10, U.S.C., appropriately assigns responsibility to the Under Secretary of Defense for Acquisition, Technology, and Logistics, and that the law also appropriately identifies the acquisition-related functions of the Military Department secretaries. If confirmed, I will continue to assess this issue.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

N/A.

DUTIES

*Question.* Section 138(b)(6) of title 10, U.S.C., describes the duties and responsibilities of the Assistant Secretary of Defense for Acquisition (ASD(AT&L)). Under this

provision, the ASD(A) is the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L) on matters relating to acquisition.

Assuming you are confirmed, what additional duties do you expect that the Secretary of Defense and the USD(AT&L) will prescribe for you?

Answer. If confirmed, I expect the Secretary and USD(AT&L) to assign duties and functions commensurate with the ASD(A)'s function and expertise as he deems appropriate.

*Question.* Do you recommend any changes to the provisions of section 138 of title 10, U.S.C., with respect to the duties of the ASD(A)?

Answer. No.

*Question.* Do you believe that the Department of Defense (DOD) has effectively implemented a streamlined chain of command for acquisition programs, as envisioned by the Packard Commission?

Answer. I believe that the Department has implemented a strong acquisition chain of command, built upon an effective management structure that meets the current acquisition requirements and outcomes. If confirmed, I will assess the structure and the workforce skills, proficiency and oversight to advise USD(AT&L) required to ensure continued success in leadership.

*Question.* Do you see the need for modifications in that chain of command, or in the duties and authorities of any of the officials in that chain of command?

Answer. If confirmed, I will support evaluations by USD(AT&L) of the current chain of command and will recommend adjustments should any be needed to ensure continued success.

QUALIFICATIONS

If confirmed, you will play a major role in managing an acquisition system pursuant to which DOD spends roughly $400 billion each year.

What background and experience do you have that you believe qualifies you for this position?

Answer. I have 26 years of acquisition experience. I have a professional engineering license. I am a graduate of the international Program Managers Institute and have senior certifications (DAWIA Level III) in Testing, Engineering, Program Management, and Logistics. I completed my Engineering in Training requirements for my Professional Engineering qualifications by working as a Quality Assurance Engineer and a workflow process engineer at ALCAN industries. I began Federal service in 1986 during the transition of Goldwater-Nichols Act implementation in support of the Marine Corps at Headquarters as one of eight engineers assigned to support all Marine Corps procurements. I was the lead engineer for all vehicles and electronic systems.

In 1990, I was recruited by the Canadian Government to work their procurement group head for Electronic systems. In late 1991, the Marine Corps recruited me back to the Marine Corps where I became the Air Defense lead engineer. Then in 1994, I became the Assistant Program Manager for the Marine Corps theater missile defense. During this time, I was credited for leading the Marine Corps to 13 international firsts in ballistic missile testing, and successfully achieved an operational suitable and operationally effective designation for the missile system and its components. At that time in 1996, this was considered the largest operational test conducted by MCOTEA and was delivered on time and within budget.

In 1998, I received the Navy civilian tester of the year for managing the development and testing of an integrated cooperative engagement capability and successful missile engagement. In 1999, I was assigned to co-lead an acquisition redesign team for the Marine Corps System Command, its organic Acquisition activity of which I received a Civilian Meritorious Service Medal in 2001. At this same time, I was the program manager for the engineering and design of new acquisition facilities to consolidate 15 sites housing approximately 1,200 people into new facilities. I structured the program to reuse the Navy's Hospital Point facility at Quantico and saved the Marine Corps several million dollars.

In 2000, I was appointed Product Group Director for Battle management and Air Defense Systems. In this portfolio, all aviation support assets (UAVs, RADARs, Sensors, command and control and Missiles and ground Command and control were managed.

In 2006, I was selected to be the Acquisition Director for the Missile Defense Agency. As lead for Acquisition, I had the contracting and acquisition workforce to include PMs under my management and all program management policy and implementation.

In addition, I was selected by USD(AT&L) to co-chair the Better Buying Power initiatives and was awarded the Secretary of Defense Meritorious Civilian Service and Secretary of Defense Exceptional Civilian Service Award in 2011 for these efforts.

In 2011, I was appointed the President of the Defense Acquisition University (DAU) to oversee the training and education of the workforce. During my tenure, the University has won several national awards for continuous learning and teaching methodologies.

Finally, about 5 months ago, Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Mr. Kendall, asked me to support AT&L's role in Acquisition and I have been Performing the Duties of OASD(A) in addition to my role as President of DAU.

*Question.* What background or experience, if any, do you have in the acquisition of major weapon systems?

Answer. In 1990, my responsibilities for the Canadian Government included procurements equivalent in American dollars to MAIS and MDAP levels. I successfully developed the acquisition strategy and procurement package for the replacement of the Air Traffic Control System that serves both civilian and military air coordination, as an example.

In my job as Product Group Director for Battle Management and Air Defense Systems, I managed the Acquisition strategy, RFP development, and selection for the ACAT ID GATOR program. The Unit Operations Center, an ACAT II program that I managed was given critical acclaim by the operating and joint deployed forces in OIF and was competitively awarded.

In my role as Acquisition Director of Missile Defense Agency, I oversaw the management of cost, schedule, and performance of all the Ballistic Missile Defense System (BMDS) Elements, often in their own right investment decisions on the scale of MAIS and MDAP programs. As all of the major system elements were concluding their Periods of Performance at MDA within a 2 year window, I was lead for creating the Acquisition Strategies that opened up $37 billion of BMDSs' budget to competition. The Acquisition Strategies created a competitive environment at all product component levels and also included consolidation of all knowledge management services. Consolidation of services opened up over 30 percent of budgeted contract funding to small business and saved the Government over 12 percent. I also constructed and led the agencies baseline of programs and within 1 year had all BMDs elements base lined with their service leads. I was awarded a Presidential Rank Meritorious Civilian Service Award in 2010 for these efforts.

In performing the duties of OASD(A), I engage in all the predecision process for MDAP and MAIS programs in support of USD(AT&L).

RELATIONSHIPS

*Question.* In carrying out your duties, what would be your relationship with:

The Secretary of Defense.

Answer. If confirmed, I will support the Secretary of Defense's priorities in acquisition and technology.

*Question.* The Deputy Secretary of Defense.

Answer. If confirmed, I will support the Deputy Secretary's priorities in matters of acquisition and technology.

*Question.* The USD(AT&L).

Answer. The USD(AT&L) would be my immediate supervisor. If confirmed, I will be the principal advisor to the USD(AT&L) for matters relating to acquisition. In addition, I will assist the USD(AT&L) in the performance of his duties relating to acquisition and in any other capacity that he may direct.

*Question.* The Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I would be the principal advisor to the Principal Deputy Under Secretary in the same manner as to the Under Secretary.

*Question.* The Director of Operational Test and Evaluation.

Answer. If confirmed, I will work with the Director of Operational Test and Evaluation to ensure the Department has appropriately tested and evaluated defense acquisition programs.

*Question.* The Director of Cost Assessment and Program Evaluation.

Answer. If confirmed, I will work with the Director of Cost Assessment and Program Evaluation to ensure that the Department has independent cost analysis for defense acquisition programs and appropriate resource assessments for other programs within my responsibilities.

*Question.* The Assistant Secretary of Defense for Research and Engineering.

Answer. If confirmed, I will work closely with the Assistant Secretary of Defense for Research and Engineering to ensure the science and technology acquisition workforce is adequately staffed and qualified to maintain the technological edge and innovative capabilities to serve the Armed Forces and to reduce the cost and risk of our major defense acquisition programs.

*Question.* The Deputy Assistant Secretary of Defense for Developmental Testing.

Answer. If confirmed, I will work with the Deputy Assistant Secretary of Defense for Developmental Testing, including to ensure there is strong involvement early in program formulation, that comprehensive, independent developmental testing assessments of program maturity and performance are available to inform acquisition decisions, and that the developmental test community within the acquisition workforce is appropriately staffed and qualified.

*Question.* The Deputy Assistant Secretary of Defense for System Engineering.

Answer. If confirmed, I will work with the Deputy Assistant Secretary of Defense for System Engineering to ensure that the systems engineering community within the acquisition workforce is appropriately staffed and qualified and that the application of sound systems engineering principles are adhered to for major defense acquisition programs.

*Question.* The Director of Performance Assessments and Root Cause Analyses (PARCA).

If confirmed, I will direct and support the work of the Director of PARCA to ensure that the defense acquisition system performs with sufficient rigor to maintain situational awareness on the execution status of our acquisition portfolio. I will also ensure that all relevant root cause lessons learned are captured from "problem" programs, and those lessons promulgated throughout the acquisition workforce. I will assure that PARCA's performance measurement policies for DOD programs and institutions are effectively implemented. Finally, I will see that underlying tools and supporting systems, such as Earned Value Management for external projects, and an internal DOD acquisition institutional performance measurement system, are resourced and implemented adequately to DOD's needs.

*Question.* The Acquisition Executives in the Military Departments.

Answer. If confirmed, I will emphasize communication and coordination through the Secretaries of the Military Departments, with the Service Acquisition Executives. I will support USD(AT&L) in working with the Acquisition Executives to ensure effective oversight of acquisition programs though insight into their areas, support transparency in sharing information about program status, recommend appropriate remedial actions to rectify problems, actively engage in the development of departmental processes to improve acquisition outcomes, and support the policies and practices of the Department.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

Answer. If confirmed, I will advise USD(AT&L) on acquisition issues related to the Joint Requirements Oversight Council matters and work closely with the Vice Chairman and his staff as appropriate. I will also seek to ensure the requirements and acquisition processes work effectively together in terms of stabilizing requirements, and ensuring requirements established for acquisition programs are achievable within appropriate cost, schedule, and technical risk by engaging early in the requirements development process.

MAJOR CHALLENGES AND PROBLEMS

*Question.* If confirmed, you will be the first person to fill the position of ASD(A). In your view, what are the major challenges that will confront the ASD(A)?

Answer. I support the acting Under Secretary's position in his Initial Guidance where he outlined the following six major challenges that confront the AT&L enterprise:

(1) Supporting the war efforts
(2) Ensuring affordable programs
(3) Achieving more efficient execution of product and service acquisitions
(4) Strengthening the industrial base
(5) Strengthening the acquisition workforce
(6) Protecting the future despite budget decline

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

Answer. In Performing the Duties as Assistant Secretary of Defense (Acquisition), I either chair or support the working groups formed by the acting Under Secretary (Acquisition) to focus on addressing these major challenges. If confirmed, I will continue to champion these activities.

Supporting war efforts places top priority on ensuring the needs of the warfighters are met as effectively, efficiently, and timely as possible.

Ensuring affordable programs will be pursued by enforcing the discipline of data-based decisions in our acquisition programs. If confirmed, I will ensure the effects of policy and process decisions are measured through data for programs. Lessons learned will provide support to future decisions. I will leverage the Defense Acquisition Board (DAB) oversight to require portfolio affordability analyses to inform programmatic decisions. Finally, I will focus on acquisition processes being more responsive to the Warfighter and more cost effective for the taxpayer by exposing Defense acquisition experience into the early formulation of program requirements. These measures should also underpin more efficient execution of product and service acquisitions.

Strengthening of the industrial base will be undertaken by systematic evaluation of proposed acquisition programs to understand potential impacts on critical national manufacturing resources. The system must be built into the program review process, combining data from program executives with data collected through AT&L's Sector-by-Sector, Tier-by-Tier (S2T2) assessment.

To strengthen the acquisition workforce, I am focused on the training, education and evaluation of the workforce. There must be a conscious effort to elevate the status, prestige and professional standards of acquisition personnel. The United States has the best-equipped military in the world. The capability and professionalism of the Defense acquisition workforce are major underlying factors in this success. I will work with the Military Department leadership to elevate the promotion potential and the prestige of the Acquisition Workforce to instill a culture of cost-consciousness across the Department, the leadership must demonstrate consistently cost-conscious decisions and the training and rewards system must focus on cost consciousness.

To protect the future, I will focus on achieving small business goals, advocate competition, use Open Architecture and Intellectual Property, assess manpower and training needs, and advocate the investment accounts.

ACQUISITION ORGANIZATION

*Question.* Do you believe that the office of the ASD(A) is appropriately organized and staffed to execute its management and oversight responsibilities?

Answer. The organizations supporting the Office of the Assistant Secretary of Defense (Acquisition) (ASD(A)) have served me well in the past 6 months that I have been performing the duties. If confirmed, I will do an assessment to ensure the organization and staffing fully support the execution of the office's management and oversight responsibilities.

*Question.* Do you see the need for any changes in the structure or operations of the Joint Requirements Oversight Council (JROC)?

Answer. I strongly support the Vice Chairman of the Joint Chiefs' initiatives to emphasize cost-informed decisions in the military needs validation process. The current construct encourages direct and open discussion between senior military needs officials and USD(AT&L). If confirmed, I will work continuously to advise USD(AT&L) in the evolution of these processes to deliver better capability.

*Question.* What improvements, if any, do you believe are needed in the lines of authority and accountability for the acquisition of major weapon systems?

Answer. I see no need for changes at this time. I believe in clear lines of authority and accountability for the procurement of major weapon systems. If confirmed, I will continuously assess and advise USD(AT&L) on any changes that I believe might be needed.

*Question.* What steps if any will you take, if confirmed, to empower program managers to execute major defense acquisition programs and hold them accountable for how well their programs perform?

Answer. If confirmed, I will assess the implementation of the Department's strategy in response to section 853 of the John Warner National Defense Authorization Act (NDAA) of 2007. The foundation of accountability is based on competency, continuity, and experience. As DAU President, my focus has been on assessing the training methods and needs with the Military Departments. As a result of this assessment, we are changing how we train our acquisition workforce, and we will require demonstration of competency to be qualified for positions. If confirmed, I will reinforce this effort and also work to ensure that program senior leadership continuity exists. Finally, I support the acting Under Secretary's initiative to include specific goals and objectives in the military and civilian evaluations relating to program execution to reinforce accountability.

MAJOR WEAPON SYSTEM ACQUISITION

*Question.* Do you believe that the current investment budget for major systems is affordable given decreasing defense budgets, the historic cost growth trends for major systems, and the continuing costs of ongoing contingency operations?

Answer. I support the acting Under Secretary's position that the current investment budget is affordable if properly managed but that it will be challenging to do so. Secretary Gates and Dr. Carter foresaw the Department's imminent economic situation and began the Better Buying Power initiative in 2010 to ensure that the performance of the defense acquisition system was in the best interest of the warfighter and taxpayers. As Co-Chair of the team that supported the Better Buying Power initiative, it is my observation that there is clear evidence that we can do better business deals for the Department. We must reduce the cost growth and the number of failed programs to meet our minimum needs for recapitalization and modernization.

*Question.* If confirmed, how do you plan to address this issue?

Answer. If confirmed, I will make cost control an ingrained culture. As the ASD(A), I will advise the Under Secretary on affordability methods that produce results. I will integrate affordability and cost-consciousness into the acquisition workforce training. I will work to control potential cost growth for existing programs and work to improve the Department's requirements, acquisition, and budgeting processes to ensure investment decisions are informed by sound affordability constraints.

*Question.* What would be the impact of a decision by the Department to reduce purchases of major systems because of affordability issues?

Answer. I believe additional reductions in our recapitalization and modernization rates could jeopardize our ability to keep up with anticipated military threats, reduce production efficiency, increase sustainment costs for the existing force structure, and impact the health of the industrial base. The Department must balance force structure with operating costs, capital investments, and modernization.

*Question.* Nearly half of DOD's major defense acquisition programs have exceeded the so-called "Nunn-McCurdy" cost growth standards established in section 2433 of title 10, U.S.C., to identify seriously troubled programs. Section 206 of the Weapon Systems Acquisition Reform Act of 2009 (WSARA) tightened the standards for addressing such programs.

What steps if any would you take, if confirmed, to address the out-of-control cost growth on DOD's major defense acquisition programs?

Answer. If confirmed, I will focus on continued implementation of WSARA and its tools. Emphasis on cost control business skills will help the work force aggressively manage programs at risk of cost growth. With the help of the Defense Acquisition Workforce Development Fund, the Department is working to rebuild its organic acquisition expertise that has had its fundamental acquisition and business skills atrophy and are encouraging industry to do the same.

*Question.* What steps if any do you believe that the Department should consider taking in the case of major defense acquisition programs that exceed the critical cost growth thresholds established in the "Nunn-McCurdy" provision?

Answer. I believe DOD has full authority to take appropriate measures, including major restructuring or termination of poor performing programs. Due to our overall affordability constraints, the Department will need to be more aggressive in taking action before Nunn-McCurdy threshold breaches occur. If confirmed, I will support USD(AT&L) in the practice of conducting Nunn-McCurdy-like reviews as soon as cost growth became likely so that this mechanism is applied proactively instead of reactively.

*Question.* Do you see the need for any changes to the Nunn-McCurdy provision, as revised by section 206?

Answer. No.

*Question.* What principles will guide your thinking on whether to recommend terminating a program that has experienced critical cost growth under Nunn-McCurdy?

Answer. If confirmed, the five criteria listed in the law will continue to guide me.

OPERATING AND SUPPORT COSTS

*Question.* The Department estimates that operating and support (O&S) costs account for up to 70 percent of the acquisition costs of major weapon systems. Section 832 of the NDAA for Fiscal Year 2012 requires the Department to take a series of steps to improve its processes for estimating, managing, and reducing such costs.

What is the current status of the Department's efforts to implement the requirements of section 832?

Answer. USD(AT&L) has instituted a number of programs and tools, such as the Logistics Assessment Guidebook, the O&S Cost Management Guidebook, and the Business Case Analysis Guidebook to assist in managing O&S Costs and improving life cycle affordability. Training curriculum at DAU is being updated to reflect these new requirements and associated skills. The implementation of section 805, NDAA of 2010 assigns a Product Support Manager to each major weapon system. USD(AT&L) has enhanced the collection, reporting, retaining, and updating of O&S cost information (organic and commercial) throughout a program's life cycle, as well as improving the ability to standardize reporting and collection of this data.

On September 14, 2011, the Acting Under Secretary signed a memorandum entitled, "Document Streamlining—Life-Cycle Sustainment Plan (LCSP)," which directed that each Major Defense Acquisition Program (MDAP) complete an improved and streamlined LSCP earlier in the life-cycle (Milestone A). This tool was designed to assist the Program Manager in the effective and affordable management of life-cycle sustainment requirements. It drives integration among functional areas (particularly between the Product Support and Engineering communities) to ensure that O&S cost drivers influence system design early on, especially as related to reliability, the single largest driver of O&S costs. Section 832 requirements are being incorporated into a major revision of the Department of Defense Instruction (DODI) 5000.02 which will include a specific enclosure that addresses Life Cycle Sustainment Management. The LCSP, along with increased focus and guidance at the Program, Service, and Department level will ensure that we continue to reduce O&S costs throughout a Program's life-cycle.

The Better Buying Power initiative also required programs to take full life cycle costs into the formulation of affordability targets and requirements as well, which provides for emphasis on the total ownership costs of O&S.

*Question.* What steps remain to be taken to implement section 832, and what is the Department's schedule for taking these steps?

Answer. The Department is currently addressing implementation of the requirements of section 832 in a major revision of the (DODI) 5000.02. To ensure compliance, this policy will be supplemented with guidance, training, mentorship, and oversight. Insight will be gained into the effectiveness of our efforts through Defense Acquisition Reviews lessons learned incorporated into future policy refinements.

*Question.* What steps, if any, are needed to ensure that the requirements and acquisition communities fully and effectively collaborate to understand and control the O&S costs prior to and early in product development, when it is possible to have the most significant impact on those costs?

Answer. The Department recognizes the alignment and partnership among the operational requirements, acquisition, and sustainment communities are essential to optimizing warfighter operating and support strategies at a minimal cost. O&S costs are directly attributable to the operational concept and sustainment requirements for systems determined very early in the Joint Capabilities Integration and Development System (JCIDS) process before developmental costs are incurred. The Initial Capabilities Document (ICD) provides sufficient fidelity for the warfighter's capability requirements to inform the Analysis of Alternatives (AOA). The Weapon System Acquisition Reform Act of 2009 (WSARA) coupled with recent changes within the JCIDS have placed a premium within the Department on conducting a thorough, rigorous AOA prior to initiating large acquisition programs. The AOA must provide full consideration of possible trade-offs among cost, schedule, and performance objectives for each alternative considered in the context of its life cycle to include energy considerations; and an assessment of whether the joint military requirement can be met in a manner that is consistent with the cost and schedule objectives recommended by the Joint Requirements Oversight Council (JROC). This has resulted in a better examination of the tradeoffs among cost, capability, and risks of programs prior to Milestone A. The results of the AOA provide the acquisition Milestone Decision Authority (MDA) information on which to base an informed materiel solution decision at Milestone A, prior to proceeding into the developmental phase of acquisition. An important input into this decision is "targeting affordability and controlling costs," which was an essential element of Dr. Carter's Better Buying Power initiative. O&S costs associated with the system solution are highlighted as one of the affordability targets at Milestone A. Further, the user's Capability Development Document (CDD) and the Acquisition Program Baseline (APB) include O&S costs as a Key Performance Parameter (KPP) prior to program initiation. O&S cost estimates are then closely monitored by both the acquisition executive and the JROC throughout development. Including planning for sustainment and associated costs "upfront" enables the acquisition and requirements communities to provide a system with optimal availability and reliability to the warfighter at best value.

*Question.* What additional steps, if any, do you believe the Department needs to take to bring O&S costs under control?

Answer. Implementation of the "Better Buying Power" initiatives will bring Operating and Sustainment (O&S) costs under control overall, but specific focus on affordability targets at Milestone A and the requirements at Milestone B will place the appropriate focus on the affordability of a capability as a Total Ownership Cost (TOC) to the Department. Doing this early, when technical and programmatic trades can be made most effectively, will allow for full attention to lifecycle costs as part of the design trades. Reduction of costs in the Operations & Support Phase of an acquisition program is closely married to the "Should Cost" initiative. In this execution of this phase, the program office team should take discrete, measurable actions to reduce total ownership costs. The "Will Cost" or Independent Cost Estimate (ICE) projection, including projected Operations & Support Phase costs, should be continually reviewed during design trade-offs and programmatic decision points to ensure management of these costs.

Additionally, if confirmed, I will also support the use of performance-based sustainment strategies to drive O&S costs down. Properly structured and executed, performance-based sustainment strategies produce better performance results at less cost than traditional, transactional sustainment approaches.

SYSTEMS ENGINEERING

*Question.* One of the premises for WSARA was that the best way to improve acquisition outcomes is to place acquisition programs on a sounder footing from the outset by addressing program shortcomings in the early phases of the acquisition process. The Defense Science Board Task Force on Developmental Test and Evaluation reported in May 2008 that "the single most important step necessary" to address high rates of failure on defense acquisition programs is "to ensure programs are formulated to execute a viable systems engineering strategy from the beginning."

Do you believe that DOD has the systems engineering and developmental testing organizations, resources, and capabilities needed to ensure that there is a sound basis for key requirements, acquisition, and budget decisions on major defense acquisition programs?

Answer. Since the passage of WSARA, the Department has worked to rebuild the systems engineering and developmental test expertise required for effective acquisition. While much progress has been made, I believe the Department can continue to improve its engineering and test practice.

*Question.* What is your assessment of the Department's implementation to date of section 102 of WSARA, regarding systems engineering?

Answer. I believe the Department has properly and effectively implemented section 102. The organization of the Deputy Assistant Secretary of Defense for Systems Engineering has been established, the office has been staffed with highly qualified teams, and it is providing guidance and oversight to the systems engineering capabilities in the Military Services.

*Question.* What additional steps will you take, if confirmed, to implement this provision?

Answer. If confirmed, I will support the Under Secretary in working with the Secretaries of the Military Departments and their Service Acquisition Executives to ensure the effective implementation of recently approved systems engineering policy and guidance and the adequacy of the competency, capacity, and authority of the systems engineering workforce as critical components in support of successful acquisition system performance.

*Question.* Do you believe that the Nation as a whole is producing enough systems engineers and designers and giving them sufficient experience working on engineering and design projects to ensure that DOD can access an experienced and technically trained systems engineering and design workforce? If not, what do you recommend should be done to address the shortfall?

I do not believe the Nation is currently producing enough systems engineers and engineers in other disciplines to meet the Department's complex engineering challenges. The Department has ongoing efforts to promote engineering education in college curricula, and, if confirmed, I will support those efforts to promote engineering as an important field of study with our national educational system. I will also promote engineering excellence within the acquisition work force, to include the training curriculum.

*Question.* Last year, the chairman and ranking member of the Armed Services Committee expressed concern that the annual report to Congress by the Assistant

Secretary of Defense for Systems Engineering and the Assistant Secretary of Defense for Developmental Testing failed to meet applicable statutory requirements.

What steps will you take, if confirmed, to ensure that future reports on developmental testing and systems engineering fully comply with applicable statutory requirements?

Answer. If confirmed, I will support the Under Secretary to ensure timely, complete data is provided as needed to ensure sufficiently detailed reports are provided in assessing the developmental test and evaluation and systems engineering capabilities of DOD.

TECHNOLOGICAL MATURITY

*Question.* Section 2366b of title 10, U.S.C., requires the Milestone Decision Authority for a major defense acquisition program to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

What steps if any will you take, if confirmed, to make sure that DOD complies with the requirements of section 2366b?

Answer. If confirmed, in support to the Under Secretary as chair of the Defense Acquisition Board (DAB) and Milestone Decision Authority (MDA) for major defense acquisition programs, I will ensure technology readiness assessments (TRAs) are properly used to ensure compliance with section 2366b. I will focus on evaluating whether the stated formal TRA levels are critically assessed for risk status prior to entering Engineering and Manufacturing Development (EMD). Technology, engineering, and integration risk associated with products entering EMD must all be assessed thoroughly before committing to EMD. Technology Readiness Level (TRLs) inform engineering risk analysis, they do not replace them.

*Question.* What steps if any will you take to ensure that the Assistant Secretary of Defense for Research and Engineering is adequately staffed and resourced to support decisionmakers in complying with the requirements of section 2366b?

Answer. If confirmed, I will work with ASD(R&E) and other members of OSD and the Military Department staffs to ensure the adequacy of resources available to meet the challenges of complying with the requirements of section 2366b. Also, I will work to ensure the acquisition workforce is provided the right training.

*Question.* Are you satisfied that technology readiness assessments adequately address systems integration and engineering issues which are the cause of many cost overruns and schedule delays in acquisition programs?

Answer. TRAs inform program managers with respect to risk management strategies, planning, and execution, but their results are extremely sensitive to their programmatic and operational context. TRA's by themselves are not adequate for addressing systems integration and engineering risks. TRAs are, however, absolutely necessary for identifying and maturing the Critical Technology Elements enabling the key performance characteristics of advanced systems.

*Question.* Beyond addressing technological maturity issues in acquisition programs, what other steps should the Department take to increase accountability and discipline in the acquisition process?

Answer. If confirmed, I will work to improve the acquisition workforce, to improve its professional skills, and to instill a culture of cost consciousness and stewardship of the taxpayer's dollars throughout. Critical in this and all of our Better Buying Power initiatives is the education and training of our workforce, which the DAU is addressing through many avenues, to include Rapid Deployment Training, and Mission Assistance and curriculum updates. The Department is striving to ensure that everyone who touches acquisition in a meaningful way is qualified in the skill sets required to achieve successful acquisition results. Finally, I will work to ensure clear goals and objectives are included in workforce evaluations to ensure accountability.

*Question.* What features of an acquisition program, in your view, contribute most to the effective maturation and integration of advanced technologies?

Answer. The most important "feature" needed to mature and integrate advanced technologies in an acquisition program is strong leadership with business skills to engage multiple resources to field rapidly the best technology at the best price. The Better Buying Power initiative has committed the DOD to a path of improving competitive contracting practices and using Open Systems Architectures to reduce redundancy and maximize value. Solution sources across DOD must be searched and analyzed to provide mature, innovative solutions that can be integrated into current and developing systems.

The Government is moving to manage more effectively the business and technical architectures of weapon systems and direct the use of competitive acquisition practices. Competition is the environment in which innovation and lower costs are born and, when coupled with an Open Systems Architecture, provide the ability to deliver

cost-effectively cutting edge solutions across a wider array of platforms. Critical to this strategy is for architectures and integration environments to be open, published, and accessible.

The Government has become more practiced and aware in asserting its data rights. Taking delivery of designs and supporting information, and ensuring our data rights are fully asserted as a part of accepting the contract delivery are critical steps to enabling a level playing field for healthy competition and cyclical recompetes. This is another important element of providing lower cost and spawning innovation, while also reducing the chance of vendor-lock.

There will always be a need for a "platform" (ship, aircraft, ground system, etc.) integrator. The market environment is created through our business practices and contract incentives, such that platform integrators can cost-effectively integrate components and capabilities from Government-provided sources. Open System Architecture, asserting Government Data Rights, publishing interfaces, regular cyclical open competitions, tech insertions, and open business models will yield the desired lower price and increased performance.

CONCURRENCY

*Question.* Some of the Department's largest and most troubled acquisition programs appear to have suffered significantly from excessive concurrency—the effort to produce a weapon system, even as it is still being designed.

What impact do you believe that such excessive concurrency has on our efforts to produce major weapon systems on schedule and on budget?

Answer. I believe excessive concurrency can drive cost growth and result in major schedule disruptions that produce further inefficiency.

*Question.* What steps will you take, if confirmed, to address this issue?

Answer. If confirmed, I will work to ensure that balance is properly struck between the risk associated with the development phase, the urgency of the need, and the likely impact on cost and schedule of any related risk. I will ensure that appropriate tools such as the Configuration Steering Board are used to assess the risk/benefit of any given degree concurrent development and production to insure that major weapons systems programs clearly articulate the framing assumptions underlying concurrency risks, to track progress against these assumptions and the resulting concurrency effects, and I will require programs to reassess levels of concurrent development and production planned as necessary if these underlying assumptions change.

*Question.* Under what circumstances, if any, do you believe that it is useful and appropriate to require prime contractors on major defense acquisition programs to share in concurrency costs?

Answer. In most circumstances, the government will bear the bulk of concurrency risk. When the government initiates production before development is complete, concurrency may drive up production costs as design changes are implemented late in the production process or after Government accepts delivery. Industry should not be asked to bear excessive risk but should be incentivized to reduce those risks through design methodologies. In a well-structured program, concurrency risk should be reduced to the extent that industry can reasonably bear a portion or all of that risk. Until industry is willing to share this risk as reasonable part of doing business, it may be premature to contract for production.

*Question.* In your view, would a requirement for such cost sharing reduce the likelihood of excessive concurrency in the development and production of major weapon systems?

Answer. In my view, this cost sharing would incentivize prime contractors to reduce the impacts of excess concurrency on cost, schedule, and performance. Cost sharing arrangements don't change the existence of the risk, but if industry is unwilling to accept some concurrency risk as a condition of a production contract, then it is an indication that the risk may be too high to begin production.

Recent congressional and DOD initiatives attempt to reduce technical and performance risks associated with developing and producing major defense acquisition programs so as to minimize premature entry into production.

FIXED PRICE-TYPE CONTRACTS

*Question.* Recent congressional and DOD initiatives attempt to reduce technical and performance risks associated with developing and producing major defense acquisition programs so as to minimize the use of cost-reimbursable contracts.

Do you think that the Department should move towards more fixed price-type contracting in developing or procuring major defense acquisition programs? Why or why not?

Answer. The Federal Acquisition Regulation (FAR) Part 16 prescribes policies, procedures, and guidance for selecting a contract type appropriate to the circumstances of the acquisition. A wide selection of contract types is available to provide needed flexibility in acquiring the large variety and volume of supplies and services required by agencies. I believe the Department needs to move towards having the appropriate skills to know what risk and opportunities there are to ensure that cost certainty is available to form the basis of negotiating a fixed price type contract where appropriate. This skill is needed on both the Government and industry teams.

*Question.* Under what circumstances, if any, do you believe it would be appropriate for the Department to use a cost-type contract for the production of a major weapon system?

Answer. I do not know a case where a cost type production task is appropriate, but would not want to limit the department in utilizing the full toolkit if a compelling case exists.

UNREALISTIC COST, SCHEDULE, AND PERFORMANCE EXPECTATIONS

*Question.* Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. Section 201 of WSARA seeks to address this problem by promoting early consideration of trade-offs among cost, schedule, and performance objectives in major defense acquisition programs.

Do you believe that early communication between the acquisition, budget and requirements communities in DOD can help ensure more realistic cost, schedule, and performance expectations?

Answer. Yes.

*Question.* If so, what steps if any would you take, if confirmed, to ensure such communication?

Answer. If confirmed, I will continue to take steps to forge closer ties between military needs and acquisition solution development. ASD(A) now has a small team of individuals who directly works with the OIPTs and the JROC staff as requirements are being vetted through the process to work the assessment of affordability, realism, and executability of the requirements. Input from this assessment is provided to the acting Under Secretary to assist him in his interaction on the JROC. These informed decisions can yield savings in time and resources for acquisition responses.

*Question.* DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule, and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Department's major acquisition programs?

Answer. Yes. The Department applies the term "incremental" to both the incremental and spiral acquisition approaches. An incremental approach could be the right strategy when the program manager is faced with an evolving requirement, rapidly evolving technology (IT), an evolving threat, or where an investment in an immature technology is needed to achieve a longer-term advantage. Fielding a partial (80 percent, for example) now, with an eye to incorporating the new technology when it is ready later, is a good strategy. Getting a capability into the warfighters' hands sooner, then upgrading to a more capable system can be a smart business approach, and better serve our troops.

*Question.* What risks do you see in the Department's use of incremental acquisition and spiral development?

Answer. The purpose of incremental acquisition is to reduce risk and speed delivery. An open design that can accommodate incremental upgrades is necessary to reduce risks and may not be engineered appropriately. Part of the trade off for lowering the initial technical risk is the necessity in such a strategy to incorporate an intentional plan that allows for upgrading early deliveries to the final configuration or cutting changes into the production line. Cost and complexity for these upgrades is an important consideration that must be factored into the overall plan. Smart use of open architecture and commercial standards, assertion of data rights and a well defined form, fit, and function interface construct are important to upgrading systems at a reasonable cost.

*Question.* In your view, has the Department's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. The Department applies the term "incremental" to both the incremental and spiral acquisition approaches. In my view, the Department's success has been mixed and we are working to improve our workforce's skill set to improve it. We

produce open designs that can accommodate unforeseen new technology when it is available and mature. These opportunities for improvement can come from either new technology, possibly from private investment, or from emergent capability needs derived from real-world warfighting experience. Preplanned future spirals are generally not as agile to emerging threats as need be. Our success depends upon technical risk management, requirements management, avoiding and breaking vendor-lock, and responsive program management and oversight structures. Incremental acquisition strategies that enable multiple block upgrades and risk/cost-prudent infusion of new capabilities can provide the Department with a useful flexibility and efficient improvements in capability.

*Question.* What steps if any do you believe are needed to ensure that the requirements process, budget process, and testing regime can accommodate incremental acquisition and spiral development approaches?

Answer. Each increment of capability requires approved/achievable requirements, full funding for the increment, and a test plan designed to assess the capability the increment is expected to provide. Our policies are designed to support an incremental acquisition approach.

*Question.* How should the Department ensure that the incremental acquisition and spiral development programs have appropriate baselines against which to measure performance?

Answer. Each increment of capability requires approved/achievable requirements, full funding for the increment and a test plan designed to assess the capability the increment is expected to provide. These are the Acquisition Program Baselines under which programs are managed and measured. DOD policies are designed to support an incremental acquisition approach.

FUNDING AND REQUIREMENTS STABILITY

*Question.* The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multiyear contracts. More recently, the Department has sought greater requirements stability by instituting Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

Do you support the use of Configuration Steering Boards to increase requirements stability on major defense acquisition programs?

Answer. Yes, I strongly support activities such as Configuration Steering Boards that provide Service leadership a forum to review and assess proposed changes to program requirements or system configuration and preclude adverse impact on program cost and/or schedule.

*Question.* What other steps if any would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. Implementation of Affordability Targets at Milestone A, Affordability Requirements at Milestone B, and working to build realistic schedules and hold programs to them are recommended steps. Combined with the Configuration Steering Board process, these steps as described in the Better Buying Power (BBP) will increase the program funding and requirements stability.

TIME-CERTAIN DEVELOPMENT

*Question.* The Defense Acquisition Performance Assessment (DAPA) panel recommended in 2006 that the Department set fixed durations for program phases, including a requirement for the delivery of the first unit of a major weapon system to operational forces within 6 years of the Milestone A decision. The DAPA panel believed that durations for program phases could be limited by ensuring appropriate levels of technological maturity, defined risk-reduction horizons, and program execution criteria, while allowing for the use of spiral development or block upgrades for enhancements in capability or increased requirements over time. Proponents of this approach, called time-certain development, have highlighted its potential for helping ensure that "evolutionary" (or "knowledge-based") acquisition strategies are used to develop major systems by forcing more manageable commitments to discrete increments of capability and stabilize funding by making costs and schedules more predictable.

What is your view of the DAPA panel's recommendation?

Answer. Many of the DAPA panel findings—shortening development timelines, reducing non-value added oversight, improving coordination with the requirements process—are included in the Better Business Power initiatives put in place last year. The Department is seeing positive results from these efforts.

*Question.* What is your view of time-certain development as an acquisition strategy for major weapons systems development programs?

Answer. I believe with the appropriate qualified workforce being available, this strategy has merit in application for many of our programs. The Government workforce need to understand technologies and their inherent risks, have a thorough knowledge of the industrial capability and have the requisite exposure to draft a reasonable acquisition strategy to conduct evolutionary acquisition. I believe these skills still need further development to successfully execute the panel's recommendations. I believe we are working to achieve this goal through Defense Acquisition Workforce Defense Fund (DAWDF).

*Question.* What steps if any would you take, if confirmed, to implement time-certain development strategies in the future acquisition programs?

Answer. Focusing on where skills are available and where the commitment of funding is greatest, I will, if confirmed, focus on a step-by-step implementation of the recommendations by aggressively reviewing requirements for incremental build opportunities, focusing on open architecture development with appropriate assertion of intellectual property rights, and carefully assessing schedule development and market research. These tools would allow for time certain constraints to be realistically and effectively applied, and quickly meet the needs of warfighters in response to urgent needs.

MULTIYEAR CONTRACTS

*Question.* The statement of managers accompanying section 811 of the NDAA for Fiscal Year 2008 addresses the requirements for buying major defense systems under multiyear contracts as follows: "The conferees agree that "substantial savings' under section 2306b(a)(I) of title 10, U.S.C., means savings that exceed 10 percent of the total costs of carrying out the program through annual contracts, except that multiyear contracts for major systems providing savings estimated at less than 10 percent should only be considered if the Department presents an exceptionally strong case that the proposal meets the other requirements of section 2306b(a), as amended. The conferees agree with a Government Accountability Office finding that any major system that is at the end of its production line is unlikely to meet these standards and therefore would be a poor candidate for a multiyear procurement contract."

If confirmed, under what circumstances, if any, do you anticipate that you would support a multiyear contract with expected savings of less than 10 percent?

Answer. If confirmed, I will expect that any case brought forward with less than 10 percent savings expected would need to be assessed against the compelling need and how it can best serve the warfighter and taxpayer before I would recommend it be considered.

*Question.* If confirmed, under what circumstances, if any, would you support a multiyear contract for a major system at the end of its production line?

Answer. If confirmed, it would depend on an exceptionally strong case for me to support a recommendation for multiyear procurement for a program when it is nearing the end of production. It depends upon the circumstances of the particular procurement.

*Question.* What are your views on multiyear procurements? Under what circumstances do you believe they should be used?

Answer. I support the statement of managers' requirement accompanying section 811 of the NDAA for Fiscal Year 2008.

*Question.* What is your opinion on the level of cost savings that constitute "substantial savings" for purposes of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. The 10 percent figure cited in the conference manager's statement is a reasonable benchmark but it need not be absolutely required in special cases.

*Question.* Under what circumstances, if any, do you believe that a multiyear contract should be used for procuring weapons systems that have-unsatisfactory program histories, e.g., displaying poor cost, scheduling, or performance outcomes but which might otherwise comply with the requirements of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. I do not know of circumstances that would support multiyear procurement for programs that are executing unsatisfactorily. If the history has been replaced with demonstrated satisfactory performance, then compliance with the requirements of the defense multiyear procurement statute, title 10 U.S.C. section 2306b, could be assessed and if appropriate, multiyear recommended.

*Question.* How would you analyze and evaluate proposals for multiyear procurement for such programs?

Answer. If confirmed, I will ensure analysis and evaluation of proposals for multiyear procurements are in accordance with all statutory and regulatory requirements, and as noted previously, I will ensure for all programs that we fully understand the benefit to the warfighter and taxpayer before I recommend proceeding with a multiyear procurement.

*Question.* If confirmed, what criteria would you apply in determining whether procuring such a system under a multiyear contract, is appropriate and should be proposed to Congress?

Answer. If confirmed, I will ensure that all of the regulatory and statutory requirements are met before recommending to proceed with any multiyear procurement.

*Question.* What is the impact of the Department's current budget situation, in your view, on the feasibility and advisability of additional multiyear procurement contracts for major weapon systems?

Answer. If compliant with the defense multiyear procurement statue, title 10 U.S.C. section 2306b, programs submitted for multiyear could provide savings to the department, particularly when there is a firm requirement and the quantities to be procured are stable.

*Question.* Under what circumstances, if any, should DOD ever break a multiyear procurement?

Answer. If the Department has done its job properly, the cancellation of a multiyear contract should be a very rare event. However, there are circumstances when it could occur. One such event would be the failure to fund a program year. Another would be the failure of the contractor to perform, which ultimately could lead to a decision to terminate for default. In these circumstances, cancellation of a multiyear procurement could be appropriate or even required.

*Question.* What impact if any does the use of a multiyear contract have, in your view, on the operation and sustainment cost for a weapon system?

Answer. Appropriate contract length should be determined based on a number of factors to include design and support concept maturity, maintenance strategy, contractual arrangements, and risk assessments. When properly applied, a multiyear contract often lowers a program's operating and support (O&S) costs. The stability provided by a multiyear contract enables the prime contractor and subcontractors in the supply chain to make investments that improve their product and processes and to recover a return on investment (ROI). Without multiyear contracts, industry is forced to make investment decisions based on a 1 year ROI period. For complex weapon systems, that is rarely sufficient to design, implement, and support any improvements that make real gains in the areas of efficiency and cost reduction.

*Question.* To what extent should the Department consider operation and sustainment costs, and the stability of such costs, before making a decision whether to acquire a major system under a multiyear contract?

Answer. The Department strongly considers operation and sustainment support (O&S) costs and the stability of these costs when making multiyear contracting decisions to focus on reducing the total cost of ownership. Multiyear contracts incentivize contractors within the industrial base and encourage them to implement cost saving investments. This in turn drives down costs and allows them the opportunity to recover a return on investment (ROI), investing early on and realizing benefits in the later years of the contract. As part of the consideration process, the Department conducts Business Case Analyses (BCA) throughout a Program's lifecycle to optimize sustainment strategies and to make informed acquisition decisions. The BCA provides a standardized and objective process that can be used to determine the best sustainment strategy for a Major Defense Acquisition Program (MDAP). The Department uses this information to make informed decisions that mitigate risk, improve performance, and select the most affordable solution available.

*Question.* The Defense Department's fiscal year 2013 budget proposal seeks approval for $52.7 billion in multiyear procurement contracts. This proposal would affect the *Virginia*-class submarine, the DDG–51 destroyer, the V–22 tilt-rotor aircraft, and CH–47 helicopter programs.

What impact would procuring these systems under multiyear contracts have on the Department's budgetary flexibility in a period when tight budgets and possible sequestration could require deep budget cuts?

Answer. Multiyear procurement strategies must provide for substantial savings and must comply with congressional requirements established in section 2306b of title 10, U.S.C. In general, I favor multiyear procurement strategies if they provide such savings. Frequently, multiyear procurements can offer substantial savings through improved economies in production processes, better use of industrial facilities, and a reduction in the administrative burden in the placement and administration of contracts. While multiyear procurements reduce the government's flexibility

during the years the strategy is being executed, the potential for multiyear procurement can be a powerful incentive to suppliers to reduce cost and negotiated price.

*Question.* Do you believe that it is in the best interests of the Department to restrict its budgetary flexibility in this manner? Why or why not?

Answer. In general, the total percentage of the Department's budget committed to multiyear contracts is low. The Department examines risk factors in conjunction with the potential for cost savings in determining whether multiyear procurement would be appropriate for a program, and multiyear procurement is one of the Department's initiatives focused on improving funding and requirements stability. While multiyear procurement restricts the Department's budgetary flexibility somewhat, the benefits of significant savings to the taxpayer and improved stability of requirements and funding both to industry and the Military Departments may far outweigh any disadvantage from restriction in budgetary flexibility but that flexibility must naturally be considered in the final determination.

CONTINUING COMPETITION AND ORGANIZATIONAL CONFLICTS OF INTEREST

*Question.* Section 202 of WSARA requires DOD to take steps to promote continuing competition (or the option of such competition) throughout the life of major defense acquisition programs.

What is your view on the utility of continuing competition as a tool to achieve long-term innovation and cost savings on major defense acquisition programs?

Answer. I am a strong proponent of competition to achieve innovation, to reinvigorate the industrial base, to focus on engineering and business management excellence, and to drive out inefficiencies and costs.

*Question.* Do you believe that such continuing competition is a viable option on major defense acquisition programs?

Answer. I believe that competition can be conducted at all levels, prime and sub contractors, large and small business, and at the component and system level. The budget itself can be the competition, i.e., an affordable program or no program.

*Question.* In your view, has the consolidation of the defense industrial base gone too far and undermined competition for defense contracts?

I do not believe that consolidation has gone too far; however, with the shrinking diversity of capabilities being procured today compared to history (airframes, as an example), we do need to consider all methods of creating competition, as discussed in the previous question. We will examine merger transactions carefully to ensure we focus on preserving competition and facilitating the most efficient and effective industrial base possible.

*Question.* If so, what steps if any can and should DOD take to address this issue?

Answer. It is the Department's policy to oppose transactions that reduce or eliminate competition and are not ultimately in the best interest of the warfighter and taxpayer. The Department continues to discourage mergers and acquisitions among defense suppliers that are anti-competitive or injurious to national security. The Department has long-established procedures to provide information and the support needed by the antitrust regulators for their merger reviews. Ultimately however, the Department is not an antitrust regulator, and the ability for the Department of Justice and the Federal Trade Commission to intervene must meet statutory criteria. In areas where consolidation has resulted in a loss of competition, the Department has in the past encouraged new entrants or explored the use of alternative capabilities.

*Question.* Section 203 of WSARA requires the use of competitive prototypes for major defense acquisition programs unless the cost of producing such prototypes would exceed the lifecycle benefits of improved performance and increased technological and design maturity that prototypes would achieve.

Do you support the use of competitive prototypes for major defense acquisition programs?

Answer. I support the use of competitive prototyping for Major Defense Acquisition Programs where the use of this approach appropriately incentivizes industry and reduces Government risk. Competitive prototyping can be an effective mechanism for maturing technology, refining performance requirements, and improving our understanding of how those requirements can drive systems acquisition costs.

*Question.* Under what circumstances do you believe the use of competitive prototypes is likely to be beneficial?

Answer. When technology is immature or where the benefits of alternative technical approaches are best assessed after further maturation, competitive prototyping during the technology development phase is an important element of a comprehensive technical risk management process. Competitive prototyping may require a

higher initial investment, longer technology development phase schedules, and carefully incentivized competitive sources to properly identify and drive down risk.

*Question.* Under what circumstances do you believe the cost of such prototypes is likely to outweigh the potential benefits?

Answer. In cases where the material solution is based on mature, well-integrated technologies and well-integrated and well-demonstrated designs, the upfront investment costs of competitive prototyping may not be offset by the potential reduction of system lifecycle costs and must be evaluated as part of a careful cost-benefit analysis.

*Question.* Section 207 of WSARA required the Department to promulgate new regulations to address organizational conflicts of interest on major defense acquisition programs.

What is your understanding of the steps the Department has taken to implement section 207?

Answer. Section 207 of the Weapons System Acquisition Reform Act (WSARA) of 2009 (Pub. L. 111–23) required the Secretary of Defense to revise the Defense Supplement to the Federal Acquisition Regulation (DFARS) to provide uniform guidance and tighten existing requirements for organizational conflicts of interest by contractors in major defense acquisition programs. The DFARS rule was published on December 29, 2010. Additionally, the Civilian Acquisition Advisory Council (CAAC) determined that the Federal Acquisition Regulations (FAR) coverage on organizational conflicts of interest needed updating and a proposed rule was published on April 20, 2011. The public comment period was extended to July 27, 2011, and the CAAC is evaluating public comments. The report is due to be completed shortly. The Department's Panel on Contracting Integrity has also conducted a review of post-employment restrictions applicable to DOD personnel pursuant to Section 833 of the National Authorization Act for Fiscal Year 2010. Section 833 also required the National Academy of Public Administration (NAPA) to perform an independent assessment of the Panel's report. The Panel completed its report in December 2010 and it was provided to NAPA for its assessment. NAPA completed its review in February 2012 and provided additional recommendations for post award restrictions. The Panel will review the NAPA recommendations in 2012 and recommend the way forward.

*Question.* What additional steps if any do you believe DOD should take to address organizational conflicts of interest in major defense acquisition programs?

Answer. The Department published a final DFARS rule in December 2010 that provides uniform guidance and tightens existing requirements for organizational conflicts of interest (OCI) by contractors in major defense acquisition programs. Currently, the Civilian Acquisition Council and the Defense Acquisition Council are evaluating comments on proposed OCI changes to the Federal Acquisition Regulation (FAR) that update and broaden coverage of OCI issues. If confirmed, I will support the Department's activities in ensuring that OCI issues are adequately reviewed in developing acquisition strategies.

*Question.* What are your views on the use of system engineering and technical assistance contractors that are affiliated with major defense contractors to provide "independent" advice to the Department on the acquisition of major weapon systems?

Answer. Contractors must not be used to perform inherently governmental functions and they must not be used in a situation where a conflict of interest or the appearance of a conflict of interest would exist.

*Question.* What lines do you believe the Department should draw between those acquisition responsibilities that are inherently governmental and those that may be performed by contractors?

Answer. I believe that inherently governmental functions involve the exercise of discretion in applying Federal Government authority, or the making of value judgments in decisions which obligate government funds and commit the government contractually.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not misuse their access to sensitive and proprietary information of DOD and other defense contractors?

Answer. The Department issued an interim rule amending the DFARS to implement section 821 of the NDAA for Fiscal Year 2010. Section 821 provides authority for certain types of Government support contractors to have access to proprietary technical data belonging to prime contractors and other third parties, provided that the technical data owner may require the support contractor to execute a non-disclosure agreement having certain restrictions and remedies. This rule was effective March 2, 2011. Work on the final rule is ongoing.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not unnecessarily limit competition for subcontracts in a manner that would disadvantage the government or potential competitors in the private sector?

Answer. Competition is one of the four cornerstones of the Better Buying Power initiatives. I believe that competition at both the prime and subcontract levels is essential. One step we can and are taking is to challenge prime contractors' practices, such as the use of exclusive teaming arrangements, and instead insist that competitive procurements are employed throughout all levels of the supply chain. The Director of Defense Pricing is accomplishing that in the course of the peer reviews he conducts and I fully support that effort. If confirmed, I will continue to emphasize the importance of effective competition at both the prime and subcontract levels.

IMPLEMENTATION OF THE WEAPON SYSTEMS ACQUISITION REFORM ACT OF 2009

*Question.* Several new major weapons programs have been started since the WSARA was enacted. Examples include the *Ohio*-Class Submarine Replacement Program, the KC–46 Aerial Refueling Tanker Replacement Program, the VXX Presidential Helicopter Replacement Program, and the Ground Combat Vehicle Program.

In your view, how effectively have such "new start" major defense acquisition programs abided by the tenets, and implemented the requirements, of the WSARA, particularly those that address "starting programs off right" by requiring that early investment decisions be informed by realistic cost estimates, sound systems engineering knowledge and reliable technological risk assessments?

Answer. The Department has abided by the tenets and implemented the requirements of WSARA in each of its "new start" programs begun since the enactment of WSARA. This includes the examples you cite. The certifications required by WSARA provide a means to enforce each program's implementation.

*Question.* Where do you think there might be room for improvement?

Answer. If confirmed, I will support assessment of WSARA implementation by these programs.

POSSIBLE REVISIONS TO DODI 5000.02

*Question.* Acting Under Secretary of Defense for Acquisition, Technology, and Logistics Frank Kendall is currently considering revisions to DOD Instructions (DODI) 5000.02, which governs the defense acquisition system.

What are the top five changes to this instruction you would recommend to streamline or otherwise improve the defense acquisition system?

Answer. There are five changes that I believe will improve the acquisition system: First, fully implement and institutionalize the Better Buying Power initiative; second, enforce the requirements of the Weapons Systems Acquisition Reform Act and associated statute; third, develop acquisition processes tailored to the unique characteristics of information technology and rapid acquisition; fourth, improve the quality of program business arrangements, and fifth, enhance the skills of the acquisition workforce.

*Question.* What role do you expect to play if confirmed in the review and revision of the DODI 5000.02?

Answer. If confirmed, I expect to be a principal advisor to the USD(AT&L) in the development of all policies that will impact the DOD acquisition process.

*Question.* What is your understanding of the schedule and objectives of the review effort?

Answer. I understand that revised policies are in development and will be coordinated throughout the department following USD(AT&L) approval. In addition, I understand that we will be developing a separate 5000 series document for the acquisition of services to ensure we have policies tailored to the specific characteristics of those important acquisitions. The intent is to coordinate and publish both policies during this calendar year.

PERFORMANCE-BASED PAYMENTS

*Question.* In 1995, the Federal Acquisition Regulation was revised to create a new category of payments, known as Performance-Based Payments (PBPs) on fixed-price contracts. PBPs are made on the basis of the physical completion of authorized work, rather than the incurrence of seller costs.

In your view, what advantages, if any, can the Department gain by using PBPs more extensively in connection with fixed-price contracts for the development of its major systems?

Answer. PBPs are not practical for use on all fixed-price contracts, but when a fixed-price contract for development is appropriate, the use of PBPs should be considered. When practical for use, PBPs provide the opportunity for the Government

and the contractor to achieve a win-win financial arrangement. This win-win arrangement occurs when the government provides better cash flow than customary progress payments and the contractor accepts a lower profit rate in consideration for the improved cash flow. PBPs are most practical for use on stable production programs where there are objective manufacturing milestones to use as PBP events and cost history to establish the contractor's financing needs at each event. Development contracts are generally less suitable for PBPs because objective events are less plentiful and there is no cost history.

*Question.* Do you believe that PBPs should be the preferred means of providing contract financing under fixed-price contracts for the development of the Department's major systems? Why or why not?

Answer. As FAR states, PBPs are the preferred method when the contracting officer determines them to be practical and the contractor agrees to their use. However, PBPs are not practical for use on every fixed-price contract and the contracting officer must determine whether they are practical for a particular contract. PBPs are most practical for use on stable production programs where there are objective manufacturing milestones to use as PBP events and cost history to establish the contractor's financing needs at each event. Development contracts are generally less suitable for PBPs because objective events are less plentiful and there is no cost history.

THE BETTER BUYING POWER INITIATIVE

*Question.* DOD's Better Buying Power initiative provides acquisition professionals with important guidance on how to achieve greater efficiency, enhanced productivity and affordability in how the Department procures goods and services.

If confirmed, what steps if any will you take to follow-through on this guidance and ensure that it is implemented as intended?

Answer. I am co-leader for the development, implementation, and continued assessment of these initiatives. If confirmed, I will continue to follow-through on implementation of the initiative and carefully consider additional steps consistent with the principles and objectives of the initiative.

*Question.* In particular, what steps will you take to ensure the implementation of the following elements of the better buying power initiative?

a. Sharing the benefits of cash flow
b. Targeting non-value-added costs
c. Mandating affordability as a requirement
e. Eliminating redundancy within warfighting portfolios

Answer. If confirmed, I will emphasize the steps already taken toward better buying power in these areas, as well as implementing ways to improve performance in these areas as identified:

Sharing the benefits of cash flow: The Better Buying Power initiative includes the use of adjusted progress payments to incentivize contractor performance, as well as providing the government appropriate consideration for this benefit. Integral to this is the use of Performance-Based Payments (PBP) in lieu of other than customary progress payments where it makes sense to do so.

Targeting non-value-added costs: I will mandate the use of "Should-Cost" principles to eliminate non-value added costs at the program level and continually reduce costs wherever it makes sense. Review of the affordability requirement and Should Costs opportunities is and will continue to be a major driver in all current and future Defense Acquisition Board investment decisions. In parallel, continuing to seize opportunities to eliminate duplicative and overly restrictive requirements that add to costs without improving value is necessary. A strong emphasis has been placed on this area during critical reviews of Requests for Proposal (RFPs) under development, as well as critical review of all contract deliverables (CDRLs) against this standard throughout the life of a contract.

Affordability: The Milestone Decision Authority (MDA) must now establish affordability targets at Milestone A decisions, to include sustainment costs, that are applicable to design and decisions early in the program. At Milestone B and beyond, these targets become requirements, based on the information garnered from the technology development phase and a more mature cost estimate. The affordability requirements are now being treated as Key Performance Parameters in the Acquisition Program Baseline and will be closely monitored during the remainder of the acquisition process.

Eliminating redundancy in warfighting portfolios: A program's affordability assessment is in the context of the portfolio within which it resides, and needs to include analysis both at the parent Military Departments, and DOD wide, levels. Portfolio reviews have commenced to identify existing redundancies. If confirmed, I will continue to emphasize that each Military Department regularly review its portfolios

to determine whether a new capability is affordable based on anticipated budgets, while eliminating or reducing redundancies.

*Question.* Are there any elements of the Better Buying Power initiative with which you disagree and which you intend to modify materially or discontinue?

Answer. I do not disagree, consistent with the fact I am co-lead for their development; however, we are modifying and adding to the initiatives as we are learning through implementation.

*Question.* Recently, you reportedly observed that the Defense Department's Better Buying Power initiative "aren't understood" at the "working level" and that it may take 2 to 4 years for this initiative to be fully implemented at the working level.

Does this statement accurately reflect your views?

Answer. Yes, while we have made tremendous progress implementing the Better Buying Power initiatives over the past 18 months, we do still have a ways to go. The culture of our workforce is deeply embedded, and it will indeed take time to fully educate the workforce to gain the benefits of all our efficiency initiatives. This is why Mr. Kendall and I, along with Military Department counterparts, are committed to a long term communications plan, using many different strategies and tactics, to reach every level of the acquisition workforce as well as others involved in the acquisition process. It is also why one of the new tasks for the Better Buying Power initiative is elevating the status, prestige and professional standards of acquisition personnel.

*Question.* What steps would you take if confirmed to ensure that the relevant acquisition workforce is fully trained on the Better Buying Power initiative and to maximize the likelihood that this initiative will achieve its intended results?

Answer. It is apparent that while the workforce is implementing many of the Better Buying Power concepts, there's still some degree of uncertainty in many areas. As such, education and training of the workforce are absolutely critical. I am supporting this on many fronts, to include ongoing updates to the guidance contained in our primary acquisition policy instruction (DODI 5000.02) and the Defense Acquisition Guidebook, as well as revisions to the teaching curriculum and methods at the DAU.

I have also focused on shifting from "certification" to "qualification," a competency-based initiative centered on basic fundamentals, application of knowledge and experience to ensure that everyone who touches acquisition in a meaningful way is qualified in the skill sets required to achieve successful acquisition results.

DAU is also providing on-the-road mission assistance on the application of Better Buying Power at acquisition organizations and programs wherever it can, and has provided tools that are already helping in the area of services acquisition. In all cases, though, communication at every level will remain the key, and hence, the Communications Plan I mentioned above is an essential piece of all this. I have every reason to believe that if we stay the course, the efficiencies we seek will be realized.

CONTRACTING FOR SERVICES

*Question.* By most estimates, the Department now spends more for the purchase of services than it does for products (including major weapon systems). After a decade of rapid growth, section 808 of the NDAA for Fiscal Year 2012 placed a cap on DOD spending for contract services.

What role if any do you expect to play, if confirmed, in oversight and management of the Department's acquisition of contract services?

Answer. If confirmed, I expect to work with the Director of Defense Procurement and Acquisition Policy in his role as the Senior Service Acquisition manager at OSD, along with the Service Acquisition Executives and their appointed senior Services Managers, to participate in oversight of the major service acquisition programs and in refining the governance structure for services. For example, I expect to contribute to the development of a new, 5000 series DOD Instruction dedicated solely to the acquisition of services so that we may institutionalize policy to address the unique challenges that service acquisitions present. Doing so will continue the progress we have made in improving the Department's management of contract services and ensure the appropriate contract type is utilized for the acquisition of services to appropriately balance risk and return on investment for the Defense Department and private industry.

In support of this goal, the Department has increased training for the acquisition of services as well as for Contracting Officer Representatives (CORs), and has developed on-line performance work statement tools to aid in the development of requirements that maximizes the potential for competition while incentivizing efficient delivery of services. Notable examples of training for the acquisition of services are

the DAU Services Acquisition Workshops, the Acquisition Requirements Roadmap Tool, and DOD's model curriculum for both classroom and online training of CORs with a variant and a Handbook specifically tailored for CORs deployed in contingency operations.

*Question.* Do you believe that DOD can do more to reduce spending on contract services?

Answer. Yes, the Department can and is doing more to reduce spending on contract services. The administration has identified management support services as an area in which spending has outpaced other contracted activities. The Department is aligned with OMB's target to reduce spending in this area by 10 percent by the end of fiscal year 2012. To achieve this end, the Department is addressing what it is buying in terms of the level of contracted support, and the manner in which it is acquiring these services. If confirmed, I will continue the effort to improve our tradecraft in the way we acquire contacted services. I will make this a high priority and ensure we adhere to the provisions contained in section 808 of the NDAA for Fiscal Year 2012 which limits the amount the Department can expand on contract services in fiscal years 2012 and 2013.

*Question.* What steps if any would you take, if confirmed, to control the Department's spending on contract services and ensure that the Department complies with the requirements of section 808?

Answer. If confirmed, I will support the Departments effort to control spending as described above. In addition, I will focus on the increased use of the Automated Requirements Road Map Tool (ARRT). Further, I will work to ensure that the workforce is trained with tools such as the Services Acquisition Mall. Finally, I will emphasize the inclusion of small business innovation and cost savings in the service industry through training and the use of tools to support market research such as Small Business Maximum Practicable Opportunity Prediction Model.

*Question.* Do you believe the Department is providing appropriate stewardship over service contracts?

Answer. I believe the Department is improving the quality of the stewardship it maintains over our service contracts through better training, standardization of contract management, and additional senior leader attention. Effective stewardship requires proactive engagement from senior leaders at operational and strategic levels to manage these contracts. The Department is making a concerted effort to instill processes to drive leadership involvement.

*Question.* Do you believe that the Department has appropriate management structures in place to oversee the expenditure of more than $150 billion a year for contract services?

Answer. Not entirely, but I believe the Department improved the management structure to oversee service contracts by establishing Senior Service Managers in each of the Military Departments. If confirmed, I will work toward an enterprise-wide, structured program to enable thoughtful decisions about how to fulfill service contract requirements. Fundamental to the success of these structures will be the effectiveness of the front-end process to review and validate requirements for services (as required by section 863 of the Ike Skelton NDAA for Fiscal Year 2011).

*Question.* Do you support the use of management reviews, or peer reviews, of major service contracts to identify "best practices" and develop lessons learned?

Answer. Yes. I fully support the use of peer reviews on major service contracts to identify best practices and lessons learned. The practice of conducting peer reviews on the Department's major service contracts has become well engrained in our process and we have derived significant benefit from this initiative. The requirement to conduct peer reviews has been institutionalized in DODI 5000.02.

SOCOM ACQUISITION AUTHORITIES

*Question.* U.S. Special Operations Command (SOCOM) is unique within DOD as the only unified command with acquisition authorities and funding. Further, the Commander of SOCOM is the only uniformed commander with a subordinate senior acquisition executive.

Would you recommend any changes to SOCOM's current acquisition authorities?

Answer. I believe that SOCOM currently has sufficient acquisition authorities. If confirmed, I will support assessment of SOCOM for opportunities to improve acquisition efficiency and effectiveness.

*Question.* What role do you believe SOCOM's development and acquisition activities should play in broader Service and DOD efforts?

Answer. I believe that the Department should always seek the broadest benefit and application of its development and acquisition activities, including those activities sponsored or led by SOCOM.

*Question.* If confirmed, how would you ensure that special operations capabilities and requirements are integrated into overall DOD research, development, and acquisition programs?

Answer. If confirmed, I will support the reviews conducted by USD(AT&L) with SOCOM, the Military Departments, and Defense Agencies to improve collaboration efforts to ensure that special operations capabilities and requirements are integrated into overall Department of Defense research, development, and acquisition programs.

ACQUISITION OF INFORMATION TECHNOLOGY

*Question.* Most of the Department's Major Automated Information System (MAIS) acquisitions are substantially over budget and behind schedule. In particular, the Department has run into unanticipated difficulties with virtually every new business system it has tried to field in the last 10 years. Section 804 of the NDAA for Fiscal Year 2010 required DOD to establish a new acquisition process for information technology.

What role if any do you expect to play, if confirmed, in oversight and management of the Department's acquisition of information technology?

Answer. If confirmed, I expect to be assigned duties and functions commensurate with the ASD(A) position to include active participation in the management and oversight of information technology.

*Question.* Do you believe that unique problems in the acquisition of business systems require different acquisition strategies or approaches?

Answer. Yes, I believe there are unique characteristics associated with the acquisition of information systems that call for the use of acquisition approaches that are different from those traditionally used by the Department for acquiring weapon systems. The acquisition of business systems requires a process that is tailored to the specific technology, business process, performance and support requirements associated with the development and deployment of business systems. The Department has already begun to adapt to the unique challenges of business information system acquisition through the implementation of the Business Capability Lifecycle (BCL), an alternative acquisition approach for defense business systems. The Department continues to make significant progress in defining the policies and procedures needed to support the successful implementation of the BCL acquisition model.

*Question.* What steps if any do you believe DOD should take to address these problems?

Answer. The issuance of the 23 June 2011 directive requiring the use of the Business Capability Lifecycle (BCL) for the acquisition process for business systems and the updates made to the DODI 5000.02 for BCL policies and procedures are important steps forward in reforming the acquisition processes. Additionally, the Department has been implementing the BCL model on a case-by-case basis. It is the Department's intent that each new defense business system will begin its lifecycle under the BCL model. If confirmed, I will actively support the use of incremental acquisition approaches to delivering capabilities, as well as engage the Department to look for opportunities whenever possible to tailor the acquisition process to include the streamlining acquisition documentation.

*Question.* What steps has the Department taken to implement the requirements of section 804? What steps remain to be taken?

Answer. The Department has made steady progress in implementing several of the key approaches outlined in section 804, specifically in the areas of Acquisition, Requirements, Testing and Certification and Human Capital. On 23 June 2011, a Directive-Type Memorandum (DTM) on Business Capability Lifecycle (BCL) was signed and issued by USD(AT&L). The BCL provides a framework for implementing a more flexible and streamlined processes for the acquisition of these business information systems. The acting Under Secretary recently launched efforts to update DODI 5000.02 supporting some key IT acquisition reform efforts identified in the 804 report. The Joint Staff has initiated efforts to include more streamlined requirements management and approval process for acquisition of information systems. They are updating policy to establish improved cycle times for the review/approval of requirements documents and producing a high-level capability Initial Capabilities Document that adopts a portfolio perspective and document requirements in the context of the portfolio. The Department's testing community has been working in collaboration with USD(AT&L) to incorporate an integrated testing, evaluation, and certification approach into the DODI 5000.02, to reduce redundancies in system testing activities and improve the efficiency and effectiveness of testing the Department's information systems.

A comprehensive review of IT acquisition competencies is currently being conducted. This review will update the IT acquisition competencies to better define DOD critical skill sets and assist in the update of curricula at the Defense Acquisition University and the Information Resources Management College.

The Department is working directly with ongoing and new start acquisition programs to drive many of the IT reform principles identified in section 804. Implementation of Business Capabilities Lifecycle (BCL) is a current focus area. The Department will use the experience and lessons learned from the "pilots/early adopters" to inform and shape the ongoing reforms and updates to policy and guidance.

*Question.* If confirmed, how would you work with the Chief Information Officer of DOD to take these steps?

Answer. If confirmed, I will work closely with the DOD CIO, and I will ensure the OUSD(AT&L) staff and the DOD CIO staff work collaboratively to identify and take any steps needed to improve the acquisition of information technology based capabilities. This is an important area for the Department as we need to achieve more consistent and better outcomes given the continuing evolution of technology. In an effort to facilitate an even greater alignment of acquisition resources and processes between the two organizations, as of February 26, 2012, a majority of the acquisition responsibilities and resources that fell under the Assistant Secretary of Defense (Networks and Information Integration (ASD(NII)) within the DOD CIO have transferred to the USD(AT&L).

*Question.* Some have argued that the current test and evaluation process does not appropriately address the unique circumstances applicable to the acquisition of information technology systems.

What steps if any do you believe the Department should take to improve the test and evaluation process for information technology systems, including their vulnerabilities in the face of a growing cybersecurity threat environment?

Answer. The Department has taken steps to develop a new Rapid IT Acquisition process, as the traditional acquisition process timelines are not as agile as the commercial sector. Long acquisition timelines result in IT systems that, at deployment, can be several steps behind current technology and, thus, more vulnerable to sophisticated cyber attacks. The Department is moving towards incorporating 'agile' development techniques for information systems, more in line with industry practices. To support iterative, incremental development, we will employ a continuous integration and test approach that integrates developmental test, operational test, and certification and accreditation activities. This approach will rely more heavily on early user involvement, use of automated testing, and continuous monitoring of deployed capabilities. An essential element of this more agile approach is a robust preproduction cyber test environment that permits us to better understand and characterize the cyber threat, and take preventative actions prior to fielding systems. The Department is still working through how to effectively develop and use this type of test bed.

*Question.* Recently, you reportedly observed that "real challenges" exist in the acquisition of information technology (IT) because the Defense Department does not have the skills necessary to procure information technology capability efficiently.

Does this statement accurately reflect your views?

Answer. Yes, training our acquisition professionals remains a top priority. This training must include a combination of formal classroom training, mentoring, coaching, and on the job learning to provide the skills to ensure a workforce that is agile, flexible, and ready to respond to the unique needs of acquiring IT for the Department.

*Question.* What challenges do you see in this area?

Answer. As DOD draws down the overall force the Department must retain critical skills and recruit new personnel to address known gaps and deficiencies specific to IT. The Department needs to assist our acquisition professionals to be conversant in new technology and development methods specific to IT. It needs to train our acquisition professionals to be more confident in their ability to deal with industry during the acquisition process. It needs to work on achieving better business arrangements in terms of products and support over the entire lifecycle. To achieve this, the acquisition workforce must be agile, flexible, and prepared to adapt our buying practices to match our needs in the area of acquiring IT. The Department needs to equip the workforce with the necessary skills to be on par with industry as they negotiate contracts set expectations for goods and services.

*Question.* What steps would you take if confirmed to address these challenges?

Answer. As stated in the previous question, recruiting, training, and retention initiatives are vital, including particularly these supported with DAWDF resources. Dealing effectively with industry, getting better business deals, and generally institutionalizing our Better Buying Power Initiatives are priorities to me.

*Question.* The Department's Information Technology Enterprise Strategy and Roadmap, dated 6 September 2011, proposes overhauling IT policies to provide improved access to information, common identity management, standardized Department-wide services/applications/tools, streamlined IT acquisition, consolidated data centers, and cloud computing services.

What reorganization if any do you believe will be needed in the IT acquisition structures of DOD and the Military Departments to achieve these objectives?

Answer. At this time I have no specific recommendations for changes as this initiative is new; however, if confirmed, I will work to assess the organizational changes necessary, if any, to achieve these objectives.

*Question.* In your view, how fundamentally different, in ways relevant to procuring needed defense capability-effectively, is acquiring information technology products and services from how the Defense Department more typically procures products and services?

Answer. Existing DOD hardware development processes do not always translate effectively in IT given the speed at which technological change occurs is often faster than we as a Department can effectively implement or upgrade the technology for our users. The Department needs to continue to move away from large IT development projects to smaller, more incremental IT projects, utilizing commercial applications whenever possible.

*Question.* How, in your view, are the Department's existing processes inadequate to procuring defense-related IT products and services effectively?

Answer. Existing acquisition processes primarily accommodate hardware development, in which highly customized weapons systems are methodically developed over time. The process rightfully focuses on maturing and developing technology, mitigating manufacturing risk and engineering for sustainment. Information technology is continually evolving and inherently different. The process needs to focus on network and process optimization, data management continually (and rapidly) changing technology, and mitigating cyber vulnerabilities.

*Question.* What specific changes, if any, would you recommend to improve how the Department procures Major Automated Information Systems?

Answer. The Business Capability Lifecycle (BCL), an alternative acquisition approach for defense business systems and instantiated in a June 23, 2011, policy directive, has been an important step in adapting the Department's approach. The BCL model requires the rigorous upfront analysis of functional requirements, establishment of performance measures and incremental delivery of capability. Continued implementation of this approach as well as other agile acquisition approaches for other types of MAIS IT are critical to improving how the Department delivers these types of capabilities.

*Question.* In your view, what are the implications of the challenges and differences you discussed above on efforts by the Department to procure effectively cyber-security products and services?

Answer. One of the challenges with procuring and deploying cyber-security solutions is the sheer scope of the DOD enterprise. Once the capability has been developed or procured, it can take several additional months to install, configure, and deploy to forces overseas and afloat. An additional challenge is the lack of a time-focused acquisition approach to acquire and deploy cyber-security products and services. The Weapon system and the streamlined IT acquisition processes do not always support the rapid acquisition timelines necessary to deliver cyber warfare capabilities. The Department is addressing these challenges as part of our response to section 933 of the NDAA for Fiscal Year 2011.

*Question.* Are there any special acquisition authorities not currently available that if authorized could help address some of the observed IT and cyber security-related acquisition shortfalls?

Answer. Acquiring cyber-related capability requires a new approach to support the rapid acquisition of cyber tools and applications. As part of the Department's response to section 933 of the NDAA for Fiscal Year 2011, it is assessing the degree to which current acquisition authorities and policies impact the speed at which the Department can acquire capabilities for cyber warfare.

*Question.* In your view, does the Defense Information Systems Agency (DISA) deliver enterprise computing services and provide IT infrastructure in an operationally responsive and cost effective manner?

Answer. The DISA is continuing to enhance and improve its ability to deliver an integrated enterprise infrastructure "platform" capability across the Department. This infrastructure "platform", to include computing, networks, enterprise services and information assurance, is intended to range from the "tactical edge" (any user, any device, anywhere) to Senior Department leadership, thereby enhancing operational responsiveness and decision making. In the face of rapidly changing tech-

nologies and cyber threat environments, DISA is employing numerous strategies to improve cost effectiveness to meet these challenges, to include agile acquisition and testing techniques, leveraging and maturing of cloud computing and service models and enhancing seamless information sharing via mobile computing technologies.

*Question.* What specific recommendations would you make to improve DISA's delivery of telecom and IT contracting, enterprise services, and computing/application hosting?

As documented in their 2011–2012 Campaign Plan, DISA has established a clear vision and set of operating principles, defined through their three "Lines of Operation" (Enterprise Infrastructure, C2 and Information Sharing, and Operate and Assure), and nine underlying "Joint Enablers". The simplest way to improve on DISA's delivery of services is to focus on creatively and efficiently executing the plan as defined in the Campaign Plan. The Department is committed to monitoring and assisting DISA in that process.

A very tangible and specific means of improving enterprise services and computing/application hosting is through the continued growth of the DISA Cloud. Utilization of cloud computing has the potential to significantly reduce costs and enhance security across a wide range of services and applications in areas such as web services, acquisition, logistics, financial management, and personnel management. The Department will articulate its plans for cloud computing in its response to section 2867 of the 2012 NDAA.

ACQUISITION WORKFORCE

*Question.* Section 852 of the NDAA for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

What role if any do you expect to play, if confirmed, in management and oversight of the Department's acquisition workforce?

Answer. I would expect, if confirmed, to be responsible and accountable to USD(AT&L) for management and oversight of workforce matters.

*Question.* Do you believe that the Acquisition Workforce Development Fund is still needed to ensure that DOD has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. Yes. The fund supports continued strengthening of the acquisition workforce. The quality and capability of the workforce is critical to improved acquisition outcomes and achieving efficiencies.

*Question.* If confirmed, what steps will you take to ensure that the money made available through the Acquisition Workforce Fund is spent in a manner that best meets the needs of DOD and its acquisition workforce?

Answer. If confirmed, I will work closely with senior acquisition leaders to ensure that this funding is allocated in a manner that best meets the needs of DOD, in the continued development of a professional DOD acquisition workforce. This will include providing the necessary workforce education, training, and experience required to meet the current acquisition environment.

*Question.* What do you see as the most significant shortcomings if any in the quality of the Department's acquisition and contracting workforce?

Answer. The Department has great people. They equipped the best military in the world and they deserve credit for this. Many attained basic and advanced acquisition certification requirements. Now, I want to build upon that process with tools to ensure the established certifications are combined with demonstrating competency in acquisition proficiencies to better provide an even better qualified workforce for current and future responsibilities. I call this "C2Q" or Certification to Qualification. Our goal is to have a workforce that is both fully certified to today's standards and also fully qualified to perform its duties as acquisition professionals. Our "certification-to-qualification" initiative will provide a critical fourth dimension to certification—on-the-job demonstration of mastery of functional competencies. C2Q builds on the saying, "Tell me, and I will forget; Teach me and I will remember; Involve me and I will learn." If confirmed, I will implement this process to equip the workforce with improved training and development opportunities for performance and acquisition success.

*Question.* What role do you expect to play, if confirmed, in addressing these shortcomings?

Answer. If confirmed, I will lead Department-wide efforts to improve acquisition outcomes. This includes strengthening and supporting the acquisition workforce and championing the strategies, initiatives, and resources necessary for an enduring high level of workforce quality and capacity. This includes updating the Human Capital Plan.

*Question.* What specific skill sets or core competencies if any do you believe to be vital in the Department's ability to procure goods and services effectively and are lacking within the Department's acquisition and contracting workforce?

Answer. I believe we have time-tested core acquisition competencies—we will always need competencies in effective program management, systems engineering, test and evaluation, logistics and sustainment, contracting, quality, pricing, audit and others. However, I also believe a basic understanding of business skills from the industry perspective is vital to the Department's ability to support effectively our servicemembers with goods and services. As such, we've worked with university business schools and industry training centers to develop business acumen competencies for our acquisition workforce, including contracting experts. In addition, the Defense Acquisition University is currently developing courseware to enhance our workforce's business knowledge to ensure better business deals for the government. If confirmed, I will actively work with the components to target these and other high priority improvements across the acquisition workforce.

*Question.* Do you believe that the Department's human capital plan for the acquisition workforce includes adequate measures to acquire or reconstitute these vital skill sets or core competencies?

Answer. Our human capital plan begins the process for strengthening our workforce systems engineering, program management, contracting and other critical functions to include rebuilding the capacity of the Defense Contract Management Agency and Defense Contract Audit Agency. The Department has made significant progress in all these areas to include initiatives to increase our training capacity for certification and targeted training available to the workforce. If confirmed, I will work to update and refine the plan with Military Departments and Defense agencies to ensure its wise use to create and maintain a high quality acquisition workforce.

*Question.* What steps if any would you take if confirmed to improve the Department's human capital plan for the acquisition workforce?

Answer. If confirmed, I will exercise strong leadership and partner with the Military Departments, functional leaders, Personnel and Readiness, and other partners to champion the highest priority strategies and workforce initiatives. Our updated plan will leverage the proven best practices from our recent efforts and include objectives that challenge us to take the workforce to a higher level of readiness, qualification, and results.

*Question.* You have reportedly observed that you believe that some of the problems in defense acquisition may stem from a lack of passion new employees have for their craft.

Does this statement accurately reflect your views?

Answer. I stated that it is difficult for the workforce to have passion for its craft when publically criticized as often as the members are. They need mentorship or coaching, opportunities to get experience, clear and supported opportunities for advancement, and opportunities for growth through progressively more challenging assignments. Lacking all that, passion for one's profession can dissipate.

*Question.* If so, what steps do you believe the Department should take to address this problem?

Answer. The workforce needs mentorship and coaching, opportunities to get experience, and to have clear and supported opportunities for advancement like their peers in the military. They need opportunities for growth. Sustaining their passion is something we do by example, by organizational culture, by treating people as valued professionals, and by giving them training and career opportunities to grow and develop. Here is an example: A couple of years ago DAU instituted for all new contracting specialists CON 090, an intensive and challenging 4-week, in-class course on the FAR and the DFARS. It has been very successful. One could say it was "reinstituted," because many of our now-senior procurement executives recall that their passion for acquisition started with a similar course they took early in their careers. The certification-to-qualification initiative (C2Q), holds promise for developing and validating professionalism in job performance. I am leading the effort to conduct pilots in program management, contract pricing, and earned value management to determine the feasibility and potential value of C2Q. Depending on the results, I will address policy and process to implement and institutionalize the C2Q initiative in much the same way as the Better Buying Power process.

THE DEFENSE INDUSTRIAL BASE

*Question.* What role if any do you expect to play if confirmed, in management and oversight of the Department's defense industrial base policy and practices?

Answer. If confirmed, I would work with the office of Manufacturing and Industrial Base Policy to ensure the policies and practices to the defense industrial base

are integrated into the Milestone decision process and acquisition strategy development.

*Question.* What is your view of the current state of the U.S. defense industry?

Answer. The defense industry is a vital component of our force structure and as such is a vital element of our national security. It lags behind the commercial sector in terms of stock market trends, and recovers slower. However, as compared to the commercial sector, it is a consistent and reasonably steady performer. In terms of status, my assessment of the defense industrial base is that is has recently taken a strategic pause in risk taking due to the uncertainties of the budget, as well as taking a closer look internally at its core competencies with an eye on spinning put risky or low profit business units. The largest companies in the Defense industry are well prepared for the fiscal austerity with high levels of retained earnings and low debt to equity ratios.

They have been through the down cycle before. The same does not necessarily hold true for the mid-tier and small businesses. This is why the impacts of acquisition decisions on the industrial base will be examined and the department will intervene only on the rare occasions where it may be warranted.

*Question.* What is your position on foreign investment in the U.S. defense sector?

Answer. If confirmed, I will implement USD(AT&L)'s decisions and direction on foreign investment in the U.S. defense sector. I am not opposed generally to foreign investment in the defense sector with appropriate security protections. Foreign firms can enhance competition, which allows for the inclusion in the United States of leading edge technologies that have been developed abroad, as well as lower costs of specific defense systems. In addition, such foreign investment in the long-run may increase interoperability between the United States and its allies. Nevertheless, the Department must ensure that foreign investment in the defense sector does not create risks to national security.

*Question.* What steps if any do you believe DOD should take to ensure the continued health of the U.S. defense industry?

Answer. DOD must take responsible steps to ensure that the defense industry can support our Warfighters' needs, now and in the future. Activities such as the Sector-by-Sector, Tier-by-Tier (S2T2) analysis are specifically needed by the Department to make informed decisions. The Department's effort to increase real competition will incentivize companies to become lean and more efficient. Judicious investments in Independent Research and Development (IRAD), Science, Technology Engineering and Mathematics (STEM), and critical engineering skills will help maintain technological dominance in the industrial base. Through competition, industry will be incentivized to trim excess overhead, which will lead to a healthier industrial base.

*Question.* What is your understanding of the status of the Department's ongoing Sector-by-Sector, Tier-by-Tier (S2T2) analysis of the defense industrial base?

Answer. The S2T2 project has been able to collect valuable information across the sectors and down the tiers of the industrial base that has contributed to Department's decisionmaking in the recent fiscal year 2013 activities.

*Question.* Has the Department taken any concrete steps to enhance the health and status of a particular sector or tier based upon this analysis?

Answer. The Department did adjust some of the program activities to include schedules and procurements in the fiscal year 2013 budget proposal to smooth work f1ow, maintaining the health of some critical and fragile niches in the industrial base.

*Question.* Under what circumstances if any do you believe the Department should use Defense Production Act title III authorities to address defense industrial base needs?

Answer. The Department should use title III authorities, consistent with section 303 of that law when: (1) Such action "is essential to the national defense; and (2) without [such action], U.S. industry cannot reasonably be expected to provide the capability for the needed industrial resource, material, or critical technology item in a timely manner." Title III decisions should be informed by thorough industrial base analysis.

*Question.* What is your view of current or anticipated consolidation efforts by major defense contractors?

Answer. The Department has no merger bias (pro or anti-merger), but evaluates mergers on a case-by-case basis to protect its long-term interests. However, the Department is generally going to look unfavorably on merger and acquisition activity among the major primes due to the uncompetitive realities such consolidation would create. The Department would review a transaction among the top-tier if proposed, but we would like to Reserve as much competition as possible at the major prime level. Below the major prime level, we believe that there could be some reasonable consolidation activity that could take place as firms to reposition themselves; in

such cases, the Department will be particularly interested in ensuring any potential vertical integration which may result does not result in a significant loss of current or future competition.

*Question.* How does the Department evaluate the effect that such consolidations may have on the ability of DOD to leverage competition to obtain fair value and the best quality in the goods and services it procures and cultivate technological and engineering innovation?

Answer. When examining a merger, the Department weighs potential harm to competition and innovation caused by horizontal consolidation and vertical integration against potential benefits such as reduced overhead costs and other synergies. In retrospect, however, there have been cases where the consolidation/synergy benefits projected were not realized and consolidation occurred without real rationalization. Given this experience, the Department may be more skeptical of arguments proposing that financial benefits outweigh the potential loss of competition.

*Question.* What role, if any, should DOD have in vetting and approving or disapproving such consolidation efforts?

Answer. I believe mergers and acquisitions are a normal response to budget changes, and should not reflexively oppose this market reaction. If confirmed, I will scrutinize proposals that come forward to ensure that the government's interests are protected. Adjustments that lead to greater efficiency or innovation are encouraged. I promote industry's efforts to develop strong well-financed business that avoid overleveraging and poor balance sheets with the intention of ensuring industry emerges stronger following structural changes. I believe the Defense Department will use its position as a buyer, its subsidy of research and its ability to forecast needs to boost investment, competition and innovation to the maximum extent while still allowing market forces to propel the sector forward.

MANUFACTURING ISSUES

*Question.* Section 812 of the NDAA for Fiscal Year 2011 requires DOD to issue comprehensive guidance to improve its management of manufacturing risk in major defense acquisition programs.

What steps has the Department taken to implement the requirements of section 812? What steps remain to be taken?

Answer. In July 2011, the Deputy Assistant Secretary of Defense for Systems Engineering (DASD(SE)) updated the Defense Acquisition Guidebook (DAG) with new guidance on how manufacturing readiness should be assessed throughout all phases of the acquisition process and at specific systems engineering technical reviews. This new guidance, added to DAG Chapter 4 (Systems Engineering), was developed based on industry best practices and DOD knowledge maintained by DAD. We will continue to refine these best practices to stay abreast of rapidly changing technologies and industrial-base capabilities.

*Question.* What additional steps would you take, if confirmed, to address continuing shortcomings in manufacturing research and capabilities in the development and acquisition of defense systems?

Answer. As the budget environment changes, it is expected that companies will adapt through both organic efficiencies and inorganic growth and realignment. Successful companies are constantly trying to anticipate market shifts and position themselves to be more competitive and to achieve greater growth and profitability. In general, this is a healthy process. If confirmed, I will support use of the new S2T2 repository of industrial base data and which will serve as a jumping off point for future assessments by all Defense components. I will focus research initiatives to address shortcomings early in the process. I will support the efforts for the Assistant Secretary of Defense for Research and Engineering (ASD(R&E)) and the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy to accelerate their achievement of the steps in recently issued strategic guidance; specifically, Sustaining U.S. Global Leadership: Priorities for 21st Century Defense and Defense Budget Priorities and Choices.

*Question.* Do you believe that additional incentives are needed to enhance industry's incorporation and utilization of advanced manufacturing processes developed under the manufacturing technology program?

Answer. The Department's competitive acquisition and procurement processes incentivize offerors to employ advanced manufacturing processes in response to the DOD's solicitations. Additionally, the Department remains ready to "intervene when absolutely necessary to sustain industrial and technological capabilities," which includes investment in advanced manufacturing.

The Manufacturing Technology (ManTech) program is a partner in the National Strategic Plan for Advanced Manufacturing, delivered February 2012 by the admin-

istration, which states, "Advanced manufacturing is a matter of fundamental importance to the economic strength and security of the United States." This strategy incorporates intensive engagement among stakeholders at the national, State, and regional levels, including the DOD ManTech program, to promote U.S. competitiveness through innovation in manufacturing.

*Question.* What is your view of the utility of the Industrial Base Innovation Fund for advancing manufacturing technology and processes?

Answer. The Industrial Base Innovation Fund has been a valuable resource for addressing short term, operational needs and issues such as surge and diminishing manufacturing sources.

*Question.* Do you believe that DOD is making an appropriate level of investment in improvement of manufacturing technologies?

Answer. The administration and Department have consistently made advanced manufacturing a priority, as exemplified by the President's recently announced National Network for Manufacturing Innovation (NNMI), a $1 billion investment in new manufacturing institutes throughout the U.S. The Department, in collaboration with other agencies, is initiating the first of these institutes in 2012. NNMI, along with funding in the fiscal year 2013 budget submission for manufacturing technology programs, demonstrates the Department's deep commitment to advanced manufacturing processes and practices. I believe the ManTech Program, Title III of the Defense Production Act, and the DARPA Manufacturing Initiative remain focused on driving down costs, improving delivery times, and enhancing the health and resiliency of the defense industrial base, with direct benefits to our acquisition programs. For instance, ManTech investments in the F–35 of just $14.5 million are now projected to reduce costs by $1.1 billion over the life of the aircraft. However, these investments certainly need to be reinforced throughout the acquisition community. Through the Department's Better Buying Power (BBP) initiatives and consistent with section 812, program executives are now considering manufacturing and production issues early in source selection, leading to increased productivity throughout acquisition process. If confirmed, I will continue to adhere to BBP initiatives and hone their focus on superior manufacturing and acquisition outcomes.

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 fully support the independence of the Director of Operational Test and Evaluation as an important aspect of ensuring the Department's acquisition programs are realistically and adequately tested in their intended operational environment. If confirmed, I will seek the advice of the DOT&E.

*Question.* What are your views about the role of the Director of Developmental Test and Evaluation in ensuring the success of the Department's acquisition programs?

Answer. The role of the DASD(DT&E) is to be the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology and Logistics on all matters relating to developmental test and evaluation within the Department. In this role, the DASD(DT&E) is to help improve acquisition outcomes through early and continuous engagement with Program Offices to reduce the discovery of problems in operational testing. The DASD(DT&E) develops policy and guidance, and provides support to Program Offices and the DOD T&E community, assists with test planning and data analysis, reviews and approves DT&E plans within the TEMP for MDAPS, and identifies and shares best practices. Additionally, I believe it is important for the DASD(DT&E) to provide an independent Assessment of Operational Test Readiness on all major defense acquisition programs to advise milestone decision authorities and the Component Acquisition Executives early of any risks prior to entering initial operational test and evaluation.

*Question.* Are you concerned with the level of test and evaluation conducted by the contractors who are developing the systems to be tested?

Answer. I believe that there needs to be Government led DT&E supported by appropriate contractor testing. The establishment of the DASD(DT&E), the Chief Developmental Tester, and the Lead DT&E Organization will help the Department provide government leadership and oversight to improve acquisition outcomes.

*Question.* What is the impact of rapid fielding requirements on the standard testing process? If confirmed, how will you work to ensure that all equipment and technology that is deployed to warfighters is subject to appropriate operational testing?

Answer. If confirmed, I will do all I can to ensure that equipment and technology is subject to appropriate operational testing. The Department is currently developing new policy for the Defense Rapid Acquisition System (DRAS) which will require the milestone decision authority (MDA) to collaborate with the supporting operational testing agency (OTA) to approve the performance assessment approach for urgent needs. For DRAS programs that are MDAPs or otherwise under oversight of the Director of Operational Test and Evaluation (OT&E), the Director must approve operational and live-fire test plans. Performance, safety, suitability, and survivability are to be assessed. A second assessment will be done 6 months post fielding. With these two assessments in place, the user will have a strong voice in determining whether to accept and deploy the capability.

*Question.* Do you believe that the operational and developmental testing organizations in DOD and the Military Services are adequate to ensure an appropriate level of testing, and testing oversight, on major defense acquisition programs?

Answer. I believe there are adequate resources to ensure an appropriate level of testing and testing oversight on major defense acquisition programs. I also believe we need to shift more emphasis to early developmental testing to reduce the likelihood of late discovery of design or production issues. If confirmed, I will work with the DOT&E and DASD(DT&E) to ensure the conduct of rigorous developmental and operational testing to improve acquisition outcomes.

*Question.* Section 102 of the WSARA established a new Director of Developmental Testing to help address this problem. Section 835 of the NDAA for Fiscal Year 2012 built on this provision by establishing new organizational and management requirements for developmental testing on major defense acquisition programs.

What steps has the Department taken to date to implement these two provisions?

Answer. The Acting Under Secretary approved DOD Instruction (DODI 5134.17) which assigns responsibilities and functions and prescribes relationships and authorities for the DASD(DT&E). The guidelines for implementing the requirements of section 835 of the NDAA for Fiscal Year 2012 are being developed and the acting Under Secretary is in the process of including those requirements in a future update to the Defense Acquisition System Instruction (DODI 5000.02).

*Question.* What steps remain to be taken?

Answer. If confirmed, I will work with the Military Department and Defense Acquisition University to implement these provisions and associated training requirements.

*Question.* What additional steps will you take, if confirmed, to ensure adequate developmental testing on major weapon systems?

Answer. If confirmed, I will emphasize the importance of having early and continuous engagement those responsible for DT&E. I will work collaboratively with the Component Acquisition Executives through the secretaries for the Military Departments, and through the Program Offices to develop adequate test programs, assist with test planning and data analysis, and identify and share best practices to help improve acquisition outcomes.

Some have argued that testing takes too long and costs too much. Others contest this view pointing out that testing and evaluation is an essential tool to assist in the development of weapon systems and ensure that they perform as intended. The Armed Services Committee has expressed concern that problems with weapons systems have been discovered during operational testing and evaluation that should have been discovered during developmental testing and corrected during subsequent development.

*Question.* Do you believe that major defense acquisition programs are helped or hurt by cutting tests budgets and reducing the time available for developmental testing?

Answer. Cutting test budgets and reducing DT can hurt programs; and more importantly, can place burden on our operational forces. Testing is an essential function that supports acquisition of enhanced military capabilities. Reductions in test budgets have the potential adverse impact that we do not discover critical design or production issues early in the lifecycle when it is least costly to take corrective actions. Robust developmental test and evaluation brings a mission focus early in the acquisition life cycle to understanding how the capability will be used, identifying and correcting problems, and thereby decreasing costs, enhancing performance, and retaining schedule for programs. Cutting test budgets and reducing test activities as a means to accelerate programs will likely have the opposite effect.

*Question.* What steps if any will you take, if confirmed, to ensure that the program management community and the testing and evaluation community work collaboratively and effectively in a way that maximizes the likelihood that developmental testing and evaluation will detect and identify problems timely in software

and hardware to provide opportunities to correct them before production and before operational testing and evaluation begins?

Answer. If confirmed, my goal is the early discovery of deficiencies in programs through DT&E and to increase the probability of programs being found to be effective and suitable in Initial Operational Test and Evaluation (IOT&E). I will focus my efforts on ensuring that the program management community and the testing and evaluation community work collaboratively and effectively, and that DT&E has a clear voice within the acquisition process by providing independent risk based assessments of DT&E planning, resourcing, and execution.

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 ASD(A)?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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## [Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

STARTING MAJOR WEAPONS PROGRAMS OFF RIGHT

1. Senator MCCAIN. Mrs. McFarland, the main focus of the Weapon Systems Acquisition Reform Act of 2009 (WSARA), which applies to new programs and seeks to have major defense acquisition programs start off right, requires that early investment decisions be informed by realistic cost estimates, sound systems engineering knowledge, and reliable technological risk assessments. The Department of Defense (DOD) has indeed started some new major programs since WSARA was enacted, or will do so in the near future. I would like to review a few of them with you. Please tell me what has been done to help ensure that they comply with these very important aspects of WSARA or how they are being structured now (or will be structured in the future) to minimize excessive cost-growth and schedule delays.

- *Ohio*-class Ballistic-Missile Submarine Replacement Program—SSBN(X)
- Aerial Refueling Tanker Replacement Program—KC–46A
- Presidential Helicopter Replacement Program—VXX
- Long-Range Strike—LRS (formerly called Next-Generation Bomber—NGB)
- Ground Combat Vehicle—GCV
- Joint Tactical Radio System—JTRS, as restructured
- Amphibious Combat Vehicle—ACV (the successor to the cancelled Marine Corps program, Expeditionary Combat Vehicle—ECV)
- Joint High-Speed Vessel (JHSV)

Mrs. MCFARLAND. Since WSARA was enacted, we have ensured all programs reviewed do comply with WSARA and that investment decisions are informed by realistic assessments of cost, engineering, and risk. The Director of Systems Engineering, the Director of Development Test and Evaluation, and the Director of Cost Analysis and Program Evaluation influence all new start programs. The Joint Capabilities Integration and Development System encompasses combatant commanders' inputs. Acquisition strategies address competition strategies and prototyping considerations.

Much of the cost growth we have seen in major defense acquisition programs can be traced to poor program planning, a problem recognized in WSARA. To address affordability in performing the duties of ASD(A), I have ensured every program reviewed has a realistic cost goal consistent with what the Department can afford. I am working to instill a culture of cost consciousness through the acquisition workforce. If confirmed, I will continue to work aggressively on programs at risk of cost growth. I believe that we have also experienced program execution issues as a result of a loss of organic acquisition expertise within the Department, and similar deficiencies in industry. With the help of WSARA and the Defense Acquisition Workforce Development Fund, the Department is working to rebuild its organic acquisition expertise and is working with industry to encourage them to do the same. Quality matters as much or more than quantity, however, and I will also continue my efforts to strengthen the existing workforce.

In response to your request that we address specific programs, I offer the following:

*Ohio-class Ballistic-Missile Submarine Replacement Program-SSBN(X)*

- The program received MS A approval in January 2011 and the ongoing development of the program is fully compliant with WSARA and its underlying principles. The Navy is designing to the minimum capability that will satisfy the projected strategic requirement throughout the projected life of this new ship class. At MS A, affordability targets were established for average ship end cost (Hulls 2–12) of $4.9 billion and Operation and Sustainment cost per hull of $110 million (in CY$10, Navy shipbuilding indicies). The program has established a dedicated Design for Affordability (DFA) group, consisting of NAVSEA and Electric Boat representatives to promote, review, and track DFA initiatives for Non-Recurring Engineering, construction Operations and Sustainment.

*Aerial Refueling Tanker Replacement Program-KC–46A*

- The Air Force has mitigated the greatest risk to the taxpayer by structuring the competitive development contract with both fixed price incentive (firm target) and firm fixed price components. The KC–46 development contract has an overall contract ceiling price of $4.9 billion. Boeing is fully responsible for any cost growth beyond the $4.9 billion overall contract ceiling price. For production, firm fixed-price contract options are established for the first two low-rate initial production lots. The remaining 11 full-rate production options have not-to-exceed prices with equitable price adjustments. The commercial-derivative nature of the KC–46 also contributes to controlling cost growth by allowing the Government to leverage commercial processes and parts pools. By maintaining tight oversight of contract execution during development and production, Boeing is incentivized to deliver on its contract commitments and within schedule.

*Presidential Helicopter Replacement Program-VXX*

- The Navy has conducted an extensive Analysis of Alternatives under formal guidance from the Cost Assessment and Program Evaluation (CAPE). Those activities have provided extensive data regarding realistic cost estimates, comprehensive systems engineering assessments, and unprecedented insights into technical risks, ways to leverage In-Service investments to reduce risk and minimize change for the users and operators, and opportunities for in-house risk reduction efforts that will result in aquisition of data rights and key interfaces for the communications suite in order to better control technology risk in the future. This extensive analysis will lead to presentation of a program strategy for the Presidential Helicopter Replacement Program that is compliant with WSARA and structured to minimize cost growth and schedule disruption.

*Long-Range Strike-LRS*

- The program has incorporated cost estimation, systems engineering, and technological risk guidance by CAPE, Offices of the Director, Systems Engineering (SE) and Developmental Test and Evaluation (DT&E). Any specific descriptions of how the acquisition strategy has been influenced by WSARA are classified.

*Ground Combat Vehicle-GCV*

- GCV was certified at MS A on August 17, 2012. The Defense Acquisition Board (DAB) fully considered the requirements, resources, and schedule and established affordability targets for the GCV Program in both the in-

vestment and O&S phases of the Program. Additionally, I directed a comprehensive three-prong strategy that builds towards a fully informed Milestone B and Engineering and Manufacturing Development Phase. This strategy will continue to review the AOA's cost informed trades, evaluate potential Non-Developmental Items (including international sources), and conclude a 24-month TD phase with two potential GCV candidates. I am personally reviewing the technical risk and mitigation plans. I do not intend to approve MS B for GCV until I am satisfied the plan is executable and affordable.

*Joint Tactical Radio System-JTRS*

• The Joint Tactical Radio System (JTRS) Joint Program Executive Office (JPEO) continues to support WSRA objectives in each of its programs. JTRS is a family of acquisition programs established to provide software programmable, networking radios for effective communication at the last tactical mile. On October 14, 2011, I signed the JTRS Ground Mobile Radio (GMR) Nunn-McCurdy Review Acquisition Decision Memorandum (ADM) based on independent cost estimates from the Director of Cost Assessment and Program Evaluation and the program was never certified. Instead, I directed closeout of the current contract and development of a modified Non Developmental Item (NDI) approach to meet remaining requirements at lower costs. This effort is being conducted under the auspices of the Army's Mid-Tier Networking Vehicular Radio (MNVR) Program. Handheld, Manpack, & Small Form Fit (HMS) radios for the individual solider received Milestone C approval in June 2011. The Department is preparing for a full rate production decision for the HMS handheld radios and is again using independent cost estimates and testing data from Government developmental testing (GDT), operational testing and evaluation (OT&E), and participation in the Army's Network Integration Evaluation (NIE) processes. For the manpack radios, the department is drafting an acquisition strategy which will incorporate an "on-ramp" process to encourage full and open competition at various future points in the acquisition process to drive down costs and improve performance. The Network Enterprise Domain (NED) Program sustains the JTRS' software waveforms and continues to conduct Technical Interchange Meetings (TIMs) with vendors to reduce technical risk in new radio development with the aim of driving down costs and improving performance.

*Amphibious Combat Vehicle-ACV*

• In January 2011, the Marine Corps formalized a Systems Engineering-Operational Performance Team SE–OPT (SE–OPT) specifically to address affordability consistent with WSARA principles. The SE–OPT culminated in December 2011, when I authorized the Navy entry into the Materiel Solution Analysis phase. I expect the ACV program to be a highly tailored acquisition approach structured to provide the most cost-effective program, emphasizing engineering and design analysis through the process and in support of the next DAB In-Process Review. In addition, it will highlight the relationship between life-cycle cost, schedule, and performance for each alternative considered. I will document, as appropriate, Marine Corps/Navy affordability targets that I expect to be included in the ACV Request for Proposal to industry.

*Joint High-Speed Vessel (JHSV)*

• The JHSV received MS B approval in November 2008, prior to enactment of WSARA. However, the program is addressing all applicable (i.e., post-MS B) WSARA principles. The JHSV program was informed by prior high speed vessel experimentation programs (e.g. Swift, Westpac Express) and is a modification to a non developmental commercially derived high speed ferry design, thus reducing developmental risk. Although the lead ship has experienced cost and schedule growth, the shipbuilder's performance on following JHSVs is improving. Due to investment in a modular manufacturing facility which supports efficient construction, and use of a fixed price incentive contract, the follow on JHSVs are expected to deliver as planned at or below target contract costs.

2. Senator McCain. Mrs. McFarland, while the Joint Strike Fighter (JSF) is, of course, not a new start, it is critical that it be restructured to comply with WSARA's key requirements (on realistic cost estimates, sound systems engineering, and reliable risk assessments). In what sense has it been restructured along these lines?

Mrs. MCFARLAND. The Department fully supports the organizational and policy changes enacted in the Weapon System Acquisition Reform Act (WSARA) for all DOD acquisition programs, including the F–35 JSF. The Department's goals with respect to WSARA are the same for all acquisition programs: implement all of the applicable acquisition policy measures called out in WSARA and integrate WSARA organizational changes into the oversight of the program. The majority of the actions required to achieve these goals in the F–35 program have been completed. While some near-term actions remain, continued and regular interactions between the F–35 program office and the WSARA-formed organizations will occur for the life of the program to achieve the goal.

Subsequent to the passage of WSARA in May 2009, the F–35 program was the subject of numerous reviews, culminating in a Nunn-McCurdy critical cost breach certification review that was guided by the acquisition reform principles founded in WSARA. The cost and schedule assessment reviews were led by the WSARA-formed Office of the Director, CAPE. The Nunn-McCurdy review and certification of the F–35 program was guided by process improvements institutionalized in WSARA, to include the participation and assessments of the Office of PARCA, and the Offices of the Director, SE and DT&E. Additionally, the F–35 program has instituted a renewed emphasis on sound systems engineering principles, realistic cost and schedule estimating, a re-energized focus on integrated test and evaluation, and implementation of tighter cost control measures; all of which can be traced directly to WSARA principles. Following the Nunn-McCurdy certification, and statutorily-directed rescission of Milestone (MS) B, the F–35 program conducted a bottoms-up Technical Baseline Review to determine a realistic cost, schedule, and risk basis for completing the developmental phase of the program, which the Offices of the Director, SE and DT&E participated in. These organizational and policy changes in WSARA were instrumental in the completion of the thorough review of the F–35 program that resulted in Nunn-McCurdy certification on June 2, 2010.

WSARA-implemented organizational changes were leveraged in the November 2011 F–35 Concurrency Quick Look Review (QLR), commissioned by the Acting Under Secretary of Defense (AUSD) for Acquisition, Technology, and Logistics (AT&L). This review was led by PARCA, SE and DT&E, and found the overall F–35 design to be sound. However, there is significant risk remaining in the F–35 program. Resolving key technical issues is important to address concerns about the F–35's operational capabilities and to have confidence in the design so that production rates can be increased. The Department used the result of the QLR to inform the fiscal year 2013 Future Years Defense Program, which holds U.S. production at 29 aircraft per year through 2014 to permit additional progress on the test program before increasing production and reduce concurrency risk.

The WSARA amendments to section 2366b of title 10, U.S.C., directly influenced F–35 program planning, documentation and execution that led to the AUSD(AT&L) approval of a new MS B in March 2012. Two DAB reviews of the F–35 program were conducted in January and February 2012 with full involvement of CAPE, PARCA, SE and DT&E. Per WSARA, CAPE cost estimators worked closely with the program office as they developed the Independent Cost Estimate and reviewed the program office estimates. This culminated in concurrence from the Director, CAPE, with the AUSD(AT&L) choice of cost estimate for the program. PARCA has completed three semi-annual performance assessments of the F–35 program since 2010. In accordance with WSARA, these assessments will occur semi-annually until at least March 2013; the next assessment is planned for July 2012.

The F–35 Acquisition Strategy dated March 2012 includes plans for competitive subsystem contracting for follow-on development, procurement, and sustainment. Competitive acquisition of future F–35 and F–35 subsystem configurations, as well as sustainment support, will be considered beginning with Low Rate Initial Production Lot 7 in fiscal year 2013. Activities supporting this strategy are associated with each contract action and, as such, will continue through the life of the program. All such efforts will be evaluated to ensure they meet the best interests of the F–35 program and are consistent with statute, policy and international agreements. Additionally, the F–35 program will not require the contractors to submit a make-or-buy plan since they are responsible for managing contract performance, including planning, placing and administering subcontracts as necessary to ensure the best value to the Government.

The remaining actions to fulfill the overall goal involve continual interaction between the WSARA-instituted organizations and the F–35 program office. To that end, the Department is planning an F–35 DAB review in September 2012, with annual reviews to follow. Additionally, CAPE will continue to work with the Services and the F–35 program office to identify and quantify opportunities to reduce operating and support costs for the program's life cycle.

EXCESSIVE CONCURRENCY

3. Senator MCCAIN. Mrs. McFarland, a big problem with how DOD buys major systems is this: it has tended to go all in on these procurement programs without understanding enough about their technical or systems engineering to assess whether developing them may have too much risk. So, these programs struggle endlessly in development—where costs grow and schedules slip—without needed combat capability delivered. Far too often, DOD has tried to execute such programs under cost-plus contracts. In my view, this has been an utter disaster. Do you agree? If so, how would you address it?

Mrs. MCFARLAND. If confirmed, I will work to ensure that balance is properly struck between the risk associated with the development phase, the urgency of the need, and the likely impact on cost and schedule of any related risk. I consider the department historically "optimistic" in assessing risk and with focus on assessment of risks in determining if the program's content and schedule is too aggressive. I will ensure that appropriate tools such as the Configuration Steering Board are used to assess the risk/benefit of any given degree concurrent development and production to insure that major weapons systems programs clearly articulate the framing assumptions underlying concurrency risks, to track progress against these assumptions and the resulting concurrency effects, and I will require programs to reassess levels of concurrent development and production planned as necessary if these underlying assumptions change. If confirmed, I will also engage the prime contractors in deliberate sharing/allocation of this risk as they propose the schedule and costs for the capability.

4. Senator MCCAIN. Mrs. McFarland, if confirmed, what overall approach would you take to ensure that programs with too much concurrency are never started?

Mrs. MCFARLAND. Assessment of the risk/benefit of any given degree of concurrent development and production must ensure that major weapons systems programs clearly articulate the framing assumptions underlying concurrency risks to identify clear and measureable steps to mitigate them, and to track progress against these assumptions. If confirmed, I will require programs to reassess levels of concurrent development and production planned as necessary if the underlying metrics indicate issues are not getting resolved, and also require a modular, open system design architecture to reduce risk and costs, and allow for program flexibility.

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QUESTIONS SUBMITTED BY SENATOR SCOTT P. BROWN

ACQUISITION AND DEPLOYMENT OF DEFENSE SYSTEMS

5. Senator BROWN. Mrs. McFarland, does the acquisition and deployment of area defense systems remain important to U.S. defense strategy, especially in regions where our potential adversaries possess significant armored or maritime forces?

Mrs. MCFARLAND. Yes, area defense is a key element of U.S. defense strategy. The Department assesses current capabilities against adversary threats to determine capability gaps and prioritize requirements and what new capabilities need to be acquired.

SENSOR-FUZED WEAPON

6. Senator BROWN. Mrs. McFarland, if international advocacy groups are successful in breaking the supply chain for the Sensor-Fuzed Weapon, what are the materiel, cost, and humanitarian implications for U.S. contingency planning and warfighting strategy in the Korean Peninsula and Persian Gulf regions?

Mrs. MCFARLAND. Currently, the Department considers the programmed inventory of Sensor-Fuzed Weapons as sufficient to support the Department's requirements. We are concerned about the supply chain for these munitions and our ability to fulfill our inventory objectives should international advocacy groups prevail in disrupting supply in the future, but the Department has not fully assessed the implications.

7. Senator BROWN. Mrs. McFarland, what would the implications be for U.S. allies that have current, pending, and prospective Foreign Military Sales agreements with our Government?

Mrs. MCFARLAND. The Department has not identified any potential alternatives for U.S. allies should the U.S. industry be unable to produce the Sensor-Fuzed Weapon.

8. Senator BROWN. Mrs. McFarland, is DOD equipped to counter such campaigns, whether it is the current one against the Sensor-Fuzed Weapon or a looming one against armed drones? If so, how is DOD doing this?

Mrs. MCFARLAND. Protecting the U.S. defense industrial base and national security interests requires DOD to collaborate effectively with other executive branch agencies and Congress. We must ensure that we thoroughly understand potential risks and communicate those risks to our industry partners. We will work closely with our industry partners to preserve domestic industrial capabilities.

9. Senator BROWN. Mrs. McFarland, many of DOD's current inventories of weapons do not meet the DOD policy of less than 1 percent unexploded ordnance. Since the policy states that non-compliant weapons will not be employed after 2018, please explain DOD's plans and programs (to include budget lines and funding profiles) to replace or upgrade these weapons.

Mrs. MCFARLAND. The Guided Multiple Launch Rocket System (GMLRS) Alternative Warhead (AW) is a precision guided, area suppression weapon system with a required maximum range of 70KM. GMLRS AW will replace the existing inventory of M26/M26AI/M26A2 dual-purpose, improved conventional munition (DPICM) rockets with a DOD Cluster Munition policy-compliant system. GMLRS AW will complete development in 2015 with an initial operational capability (IOC) of 324 GMLRS AW rockets scheduled for early 2017. The GMLRS AW is fully funded with $159.6 million programmed for development. AW will be integrated into the GMLRS rocket production line in 2016 with a remaining $1.35 billion programmed for procurement through 2022 in order to achieve a GMLRS Army Procurement Objective (APO) of 43,560 rockets.

A policy-compliant cannon DPICM replacement for M483 and M864 155mm DPICM projectiles and the M39 Army Tactical Missile System (ATACMS) Anti-Personnel Anti-Material (APAM) missiles is being evaluated. The intent is to afford potential technology reuse from OMLRS AW for application to a 155mm cannon DPICM and ATACMS APAM replacement.

In addition, the Joint Standoff Weapon (JSOW) program is examining a possible JSOW–A modification plan and cost estimate to replace the non-compliant JSOW–A submunitions (BLU–97) weapon with an alternate warhead (BLU–1 11), while retaining JSOW's area effect capabilities after 2018.

10. Senator BROWN. Mrs. McFarland, can you reaffirm the U.S. position that the BLU–108 is the submunition of the Sensor-Fuzed Weapon, because it is a conventional munition released by a cluster munition and functions by detonating an explosive charge before impact?

Mrs. MCFARLAND. Yes. The Department views the BLU–108 as the Sensor-Fuzed Weapon submunition.

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## QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

### COST-PLUS VERSUS FIXED-PRICE CONTRACTS

11. Senator AYOTTE. Mrs. McFarland, I believe we should minimize using cost-plus contracts to procure major weapons systems. In most cases, by the time DOD is ready to produce major systems at a low rate, enough development risk should have been burned off that contractors should be ready to sign a fixed-price contract. Otherwise, cost-plus contracts should be used for only those pieces where significant risk is left over. This is the thrust of the amendment on cost-plus contracting I offered with Senator McCain last year in connection with the National Defense Authorization Act (NDAA) for Fiscal Year 2012. What is your view of this issue?

Mrs. MCFARLAND. Generally, I agree we should minimize the use of cost-plus arrangements under our production contracts for major weapon systems. Once we have completed low rate initial production, most of the Department's contracts for major weapon systems should be fixed priced. I believe there are circumstances however where we cannot adequately reduce the risk in the low rate initial production phase and therefore a form of cost reimbursable contract may be appropriate. Such would be the case in support of an operational urgency (addressed as an exception in one version of the amendment you offered in connection with the NDAA for Fiscal Year 2012). Another circumstance that might warrant use of a cost-type contract would be where we require the contractor to deliver a production unit as a risk reduction measure to assess technical feasibility. In general though, I am inclined to use firm fixed-price contracts for low rate initial production and production phases when the risk is low, production processes are mature, and the costs are known. The

Department would likely use fixed-price incentive contracts when there is more risk and less of an understanding about production processes and costs.

12. Senator AYOTTE. Mrs. McFarland, do you support the floor amendment Senator McCain and I offered last year, S.A. 1249?

Mrs. MCFARLAND. One of the important elements of the Better Buying Power initiative has been our emphasis on increasing the use of fixed price type contracts, where appropriate. In particular, the Department is more frequently using fixed-price contracting for the early stages of production. However, since each program has unique features that dictate the degree of risk involved, I believe it is important the Department retain the flexibility to use the appropriate contract type for a given contract. For example, I believe there are occasions where it is appropriate to use cost-type contracts for low rate initial production, or for incremental improvements after a program has entered into the production phase. Therefore, I am not inclined to support a provision that would broadly preclude cost-type contracts for the production of major defense acquisition programs (MDAP). If confirmed, I am committed to working with the committee on this issue.

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QUESTION SUBMITTED BY SENATOR LYNDSEY GRAHAM

CYBER AND INTELLIGENCE ACQUISITION

13. Senator GRAHAM. Mrs. McFarland, how would you approach the acquisition process for rapidly changing technologies, such as cyber and command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR), versus those that remain relatively constant and mature over long periods of time such as airplanes, ships, and automotive land vehicles?

Mrs. MCFARLAND. Command, control, and communications and cyber are among the Department's fastest growing acquisition and technology areas. Due to the complex and potentially crippling nature of cyber attacks, requirements and technology are evolving at a very rapid rate. There are unique characteristics associated with the efficient and effective acquisition of cyber and C4ISR capabilities. In order to maximize the operational benefit of the rapidly changing technologies associated with these types of programs, the Department must use different approaches in place of the established model normally used for acquiring weapon systems. To keep pace with technology, C4ISR programs must use an iterative, incremental, and time-limited approach that will put capability into the hands of the user quickly.

This more rapid approach must be based on well defined increments of capability that are developed, tested, and often fielded in increments structured around 1 to 2 year software builds. The capability should be delivered in partial deployments, with each deployment providing an operationally useful capability. The Department intends to incorporate this approach as one of the acquisition approaches covered by the new DOD Instruction 5000.02 which is currently in staffing.

Regarding Cyber technologies, on March 22, the Department also submitted a report to Congress pursuant to section 933 of 2011 NDAA which articulated a new strategy for acquiring cyberspace warfare capabilities. The new cyber framework allows for alternative acquisition processes, identified as "rapid" and "deliberate." These processes will be tailored to the complexity, cost, urgency of need and fielding timelines associated with the cyber warfare capability being acquired. As cost increases and operational immediacy and the tolerance for risk decreases, enterprise-level discipline factors increase. These new processes for rapidly acquiring cyber warfare capabilities will be piloted in the coming months and then implemented throughout the Department as formal acquisition policy.

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[The nomination reference of Mrs. Katharina G. McFarland follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*February 13, 2012.*

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

Katharina G. McFarland, of Virginia, to be an Assistant Secretary of Defense (New Position).

[The biographical sketch of Mrs. Katharina G. McFarland, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF KATHARINA G. MCFARLAND

*Education:*

Rochester University, Life Sciences

- September 1977–December 1980
- Transferred to Queens University

Queens University, Engineering Department

- January 1981–March 1985
- Bachelor of Science Degree awarded May 1985
- Professional Engineer License conferred May 1985

Professional Program Management Institute

- Program Management Professional certificate conferred October 2004

*Employment Record:*

Performing the Duties of Assistant Secretary of Defense (Acquisition)

- October 2011–present

Defense Acquisition University

- President
- January 2011–present

Missile Defense Agency

- Director of Acquisition
- May 2006–January 2011

Marine Corps Systems Command

- Product Group Director, Battle Management and Air Defense Systems
- October 2001–May 2006
- Program Manager, Acquisition Center of Excellence
- September 1998–October 2001
- Program Manager, Theater Missile Defense
- October 1991–September 1998

Department of National Defense, Ottawa, Ontario

- Procurement Head of Electronics
- October 1990–October 1991

Headquarters, Marine Corps

- General Engineer
- November 1986–September 1990

*Honors and Awards:*

Secretary of Defense Meritorious Civilian Service (2011)
Secretary of Defense Exceptional Civilian Service Award (2011)
Presidential Rank Meritorious Civilian Service (2011)
Outstanding Civilian Performance (1991–2006)
Civilian Meritorious Service Medal, U.S. Navy/Marine Corps (2001)
Navy Civilian Tester of the Year (1998)
Government Computing News Excellence Award (2000)
Unit Meritorious Service Medal

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial and other information of the nominee. The form executed by Mrs. Katharina G. McFarland in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Katharina Ginger McFarland.
Maiden name: Wahl; Prior Married Surname: Brant; Nickname: Katrina.

2. **Position to which nominated:**
Assistant Secretary of Defense (Acquisition).

3. **Date of nomination:**
February 13, 2012.

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:**
Watertown, NY; June 14, 1959.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Ronnell Reed McFarland.

7. **Names and ages of children:**
Son: Jacob John Brant, 18.
Stepson: Andrew McFarland, 31.
Stepson: Austin McFarland, 23.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
University of Rochester, School of Life Sciences, 1977–1980, no degree conferred
Queens University, Kingston, Ontario, Canada: Bachelor of Science, Engineering, Professional Engineer, May 25, 1985, attended 1980–1985
Professional Program Management Institute Graduate, Oct. 1, 2004

9. **Employment record:** List all jobs held since college or in the last 10 years, whichever is less, including the title or description of job, name of employer, location of work, and dates of employment.
Oct. 2011 to present: Performing the duties of the Assistant Secretary of Defense for Acquisition
Jan. 2011 to present: President, Defense Acquisition University
May 2006 to Jan. 2011: Director of Acquisition, Missile Defense Agency
Oct. 2001 to May 2006: Product Group Director, Marine Corps Systems Command, Quantico VA

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.

I am the "Domestic Partner" (limited partner) of a family Limited Liability Corporation (holds French Creek Marina Property) in Clayton, NY. Wilbert C. Wahl, Jr. is the owner and my father.

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

Marine Corps Aviation Association, 1991

Program Management Institute, 2001

Defense Acquisition University Alumni Association, 2010

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.

Outstanding Civilian Performance (Every year from 1991 thru 2006)

Civilian Meritorious Service medal, U.S. Navy/Marine Corps . . . 2001

Secretary of Defense Meritorious Civilian Service . . . 2011

Presidential Rank Meritorious Civilian Service . . . 2010

Secretary of Defense Exceptional Civilian Service Award . . . 2011

Navy Civilian Tester of the Year . . . 1998

Government Computing News Excellence Award . . . 2000

(I have received awards as DAU President, but they are for the entire University, not just me)

Unit Meritorious Service Medal (Several years)

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

U.S. Marine Corps Theatre Missile Defense Models and Simulations (American Society of Computer Simulation, Journal of Models and Sims, 2004 volume) Co-author with Alex Brofos, 1999

AT&L magazine "Better Buying Power", May 2011

Military Operations Research Society, "Common Command and Control", 1992

International Aeronautical Engineering Societies, Proceedings on Interoperability, 1993

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.

Testimony before the U.S. House of Representatives Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations, and Procurement Reform, "On the Frontlines in the Acquisition Workforce's Battle Against Taxpayer Waste," November 16, 2011.

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

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[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.]

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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.

KATHARINA G. MCFARLAND.

This 9th day of March, 2012.

[The nomination of Mrs. Katharina G. McFarland was reported to the Senate by Chairman Levin on May 23, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Ms. Heidi Shyu by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. This milestone legislation is now more than 20 years old and has served our Nation well. I believe that the framework established by Goldwater-Nichols has significantly improved interservice and joint relationships and promoted the effective execution of responsibilities. It is appropriate for the Department, working with Congress, to continually assess the law in light of improving capabilities, evolving threats, and changing organizational dynamics. Although I am currently unaware of any reason to amend Goldwater-Nichols, if confirmed, I hope to have an opportunity to assess whether the challenges posed by today's security environment require amendments to the legislation.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. As noted above, I have no specific proposals to modify Goldwater-Nichols. As with any legislation of this magnitude, however, I believe it may be appropriate to review past experience with the legislation with a view toward identifying any areas in which it can be improved upon, if any, and then consider with Congress whether the act should be revised.

*Question.* Do you see the need for any change in the roles of the civilian and military leadership of the Department of the Army regarding the requirements definition, resource allocation, and acquisition processes?

Answer. I have no specific proposals regarding the roles and assigned missions at this time. If confirmed, I welcome the opportunity to review roles of the civilian and military participants in these processes, as appropriate, with a view toward identifying areas that can be improved upon.

*Question.* What do you believe should be the appropriate role of the Service Chiefs in the requirements, acquisition, and resource-allocation process?

Answer. Section 861 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 formally recognized the important role of the Service Chiefs in specified acquisition-related functions of the Military Departments, including the development of requirements relating to the defense acquisition system and the coordination of measures to control requirements creep. In addition, the Service Chiefs' collaboration in the resource allocation process is very important.

*Question.* What do you believe should be the appropriate role of the combatant commanders in the requirements, acquisition, and resource-allocation processes?

Answer. In my view, the existing warfighting responsibilities of combatant commanders and their role as described in the Defense Department Reorganization Act of 1986 is appropriate. I support language in the Weapon Systems Acquisition Reform Act mandating that the input of combatant commanders be considered in the development of joint requirements.

*Question.* Do you see the need for any changes in the structure or operations of the Joint Requirements Oversight Council (JROC)?

Answer. Based upon my experience as the Principal Deputy, I see no current basis for recommending changes to the structure or operations of the JROC. I fully support provisions in the Weapon Systems Acquisition Reform Act mandating consideration of cost, schedule, and performance tradeoffs by the JROC in establishing warfighter requirements.

DUTIES

*Question.* Section 3016(b)(5)(A) of title 10, U.S.C., states that the principal duties of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology (ASA(ALT)) shall be the overall supervision of acquisition, technology, and logistics matters of the Department of the Army.

What is your understanding of the duties and functions of the ASA(ALT)?

Answer. The ASA(ALT) is one of five Assistant Secretaries of the Army. The principal duty of the ASA(ALT) is the overall supervision of acquisition, logistics, and technology matters within the Department of the Army. The ASA(ALT) serves, when delegated, as the Army Acquisition Executive and the Army's Senior Procurement Executive, and also as the Science Advisor to the Secretary and the senior research and development official for the Department of the Army. The ASA(ALT) appoints, manages, and evaluates Program Executive Officers and direct-reporting program managers, while also managing the Army Acquisition Corps and the Army Acquisition Workforce. The ASA(ALT) executes the DA procurement and contracting functions, including exercising the authorities of the agency head for contracting, procurement, and acquisition matters pursuant to laws and regulations, the delegation of contracting authority; and the designation of contracting activities. He or she is responsible for setting the strategic direction and ensuring execution of policies, plans and programs relating to Army acquisition, logistics, technology, procurement, the industrial base, materiel-related security cooperation (including security assistance and armaments cooperation) and the Army's responsibilities within the Department of Defense (DOD) Chemical Demilitarization program.

*Question.* What recommendations, if any, do you have for changes in the duties and functions of the ASA(ALT), as set forth in section 3016(b)(5)(A) of title 10, U.S.C., or in DOD regulations pertaining to functions of the ASA(ALT)?

Answer. I have no specific recommendations at this time. If confirmed, however, I look forward to the opportunity to serve in the position before recommending any potential changes in the duties and functions of the ASA(ALT).

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

Answer. As the Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics and Technology), I have first-hand experience in assisting in the oversight and supervision of Army acquisition programs, procurement, logistics, sustainment and scientific and technology initiatives within the Army.

Prior to serving in the Department of the Army, I developed a wide-range of expertise in the development of defense weapon systems. Most recently, I worked as the Vice President of Technology Strategy for Space and Airborne Systems at Raytheon. In this capacity, I developed technology strategy for a variety of sensors and systems. Previously, I held several senior leadership positions at Raytheon, including Corporate Vice President of Technology and Research, Vice President and Technical Director of Space and Airborne Systems, Vice President of Unmanned and Reconnaissance Systems, Senior Director of Unmanned Combat Vehicles, Senior Director of Raytheon's Joint Strike Fighter (JSF) efforts, and Director of JSF Inte-

grated Radar/Electronic Warfare Sensors. As Director of JSF Antenna Technologies at Raytheon, I was responsible for the development of lightweight, low-cost, Tile Active Electronically Scanned Antenna technologies. I also served as the Laboratory Manager for Electromagnetic Systems at Raytheon.

In addition, I have worked as a Project Manager at Litton Industries and was the Principal Engineer for the Joint STARS Self Defense Study at Grumman. Previously, I began my career as an engineer at the Hughes Aircraft Company.

From 2000 to 2010, I served as a member of the Air Force Scientific Advisory Board, including tenure as Vice Chairman from 2003 to 2005 and as Chairman from 2005 to 2008.

I hold a Bachelor of Science Degree in Mathematics from the University of New Brunswick in Canada, a Master of Science Degree in Mathematics from the University of Toronto, Master of Science Degree in System Science (Electrical Engineering) from the University of California, Los Angeles (UCLA), and the Engineer Degree from UCLA. I am also a graduate of the UCLA Executive Management Course and the University of Chicago Business Leadership Program. These combined experiences and responsibilities have prepared me to serve in the position, if confirmed.

*Question.* What background or experience do you have in the acquisition of major weapon systems?

Answer. As the Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics, and Technology), I assisted efforts to oversee the acquisition of weapon systems, equipment and services for the U.S. Army.

I have worked as the Vice President of Technology Strategy for Space and Airborne Systems at Raytheon, developing the technology strategy for a variety of sensor and radar development programs. Previously, I held several senior leadership positions at Raytheon, including Vice President of Technology and Research, Vice President and Technical Director of Space and Airborne Systems, Vice President of Unmanned and Reconnaissance Systems, Senior Director of Unmanned Combat Vehicles, Senior Director of JSF, and Director of JSF Integrated Radar/Electronic Warfare Sensors. As Director of JSF Antenna Technologies at Raytheon, I was responsible for the development of lightweight, low-cost, Tile Active Electronically Scanned Antenna technologies. I also served as the Laboratory Manager for Electromagnetic Systems at Raytheon. I have worked on numerous major weapons systems during my career such as F/A–18, F–15, JSF, U–2, and Global Hawk.

*Question.* Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense and the Secretary of the Army would prescribe for you?

Answer. If confirmed, I would expect that I would be held accountable for the Army's acquisition, logistics and technology efforts.

RELATIONSHIPS

*Question.* In carrying out your duties, what would be your relationship with:

The Secretary of the Army.

Answer. If confirmed, I will support the Secretary of Army's priorities in acquisition, logistics and technology.

*Question.* The Under Secretary of the Army.

Answer. If confirmed, I will support the Under Secretary of the Army, both in his role as the Under Secretary and in his role as Chief Management Officer.

*Question.* The Chief of Staff of the Army.

Answer. If confirmed, I will work with the Chief of Staff of the Army to ensure that our soldiers receive world class equipment and support to perform their missions within available resources.

*Question.* The Under Secretary of Defense for Acquisition, Technology, and Logistics.

Answer. If confirmed, I will work with the USD(AT&L) in connection with Army acquisition, logistics and technology programs, and I will support the USD(AT&L) in the discharge of his responsibility to supervise DOD acquisition. I assume that my duties as Army Acquisition Executive will bring me into close working contact with the USD(AT&L), and I am confident that our collaboration will be very beneficial for the Army and DOD.

*Question.* The Director of Cost Assessment and Program Evaluation.

Answer. If confirmed, I will work with the Director of Cost Assessment and Program Evaluation in support of efforts to provide the Department with independent analysis and resourcing assessments for weapons systems programs.

*Question.* The Director of Operational Test and Evaluation.

Answer. If confirmed, I will work with the Director of Operational Test and Evaluation to ensure appropriate operational testing oversight for Army acquisition programs.

*Question.* The Director of Defense Pricing.

Answer. If confirmed, I will work with the Director of Defense Pricing to ensure implementation of effective, best-value procurement strategies in Army acquisition programs.

*Question.* The Director of Procurement and Acquisition Policy.

Answer. If confirmed, I will work with the Director of Procurement and Acquisition Policy to ensure appropriate oversight for Army acquisition programs, procurement and contracting.

*Question.* The Director of Program Assessment and Root Cause Analysis.

Answer. If confirmed, I will work with the Director of Program Assessment and Root Cause Analysis to ensure proper oversight of Army Major Defense Acquisition Programs (MDAPs) and compliance with applicable statutory reporting requirements.

*Question.* The Assistant Secretary of Defense for Research and Engineering.

Answer. If confirmed, I will work with the Assistant Secretary of Defense for Research and Engineering to rapidly field technologies and capabilities in support of ongoing operations and to ensure the Army and the Nation maintain a strong technical and engineering foundation to reduce the cost, acquisition time, and risk of our major defense acquisition programs.

*Question.* The Deputy Assistant Secretary for Systems Engineering.

Answer. If confirmed, I will rely on the expertise and advice of the Deputy Assistant Secretary for Systems Engineering and encourage his early involvement in support of Army acquisition programs. Moreover, if confirmed, I would consider the Deputy Assistant Secretary's independent assessments and recommendations in decisions relating to Major Defense Acquisition Programs.

*Question.* The Deputy Assistant Secretary for Developmental Test and Evaluation.

Answer. If confirmed, I will work with the Deputy Assistant Secretary for Developmental Test and Evaluation on oversight of developmental testing and evaluation activities within Army acquisition programs.

*Question.* The Joint Requirements Oversight Council.

Answer. If confirmed, I will work with the JROC in support of its missions related to the development and prioritization of joint military requirements.

*Question.* The Service Acquisition Executives of the other Military Departments.

Answer. If confirmed, I will collaborate with the other Service Acquisition Executives to share information regarding relevant acquisition programs, to seek opportunities to improve acquisition processes, and to support the policies and practices of the Department.

*Question.* The Commander of the Defense Contract Management Command.

Answer. If confirmed, I will work with the Director of the Defense Contract Management Agency to ensure effective administration of Army contracts.

*Question.* The General Counsel of the Army.

Answer. If confirmed, I will work with the Army General Counsel to ensure all actions within the Office of the ASA(ALT) comport with law, regulation and policy.

*Question.* The Auditor General of the Army.

Answer. If confirmed, I will work with the Auditor General of the Army in connection with Army acquisition, logistics and technology programs.

*Question.* The Principal Military Deputy to the Assistant Secretary of the Army for Acquisition, Technology, and Logistics.

Answer. If confirmed, I will work with the Principal Military Deputy to the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to ensure that appropriate oversight and direction is provided to the Army acquisition workforce and Army acquisition programs, policies, procedures, and contracting efforts.

MAJOR CHALLENGES AND PROBLEMS

*Question.* In your view, what are the major challenges that will confront the ASA(ALT)?

Answer. I believe the principal challenges facing the ASA(ALT) consist of equipping the Army through reset and modernization efforts at a time of declining budgetary resources.

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

Answer. If confirmed, I will work closely with senior Department of the Army officials, as well as the Office of the Secretary of Defense, to address these challenges and meet the acquisition priorities of the Secretary of the Army. Meeting these chal-

lenges will require close and continuous collaboration between organizations responsible for requirements generation, programming and budgeting, and acquisition program management to ensure the delivery of affordable, timely, and effective equipment to the Army. I would maintain emphasis on enhancing the acquisition workforce and on adopting sound business practices to ensure that the Army achieves the maximum benefit from its scarce fiscal resources.

*Question.* What do you consider to be the most serious problems in the management of acquisition functions in the Army?

Answer. I believe that uncertainty regarding the extent of the current decline in Army budgets presents a significant challenge in planning and executing current and future planned investments in weapon systems and equipment.

*Question.*What management actions and timetables would you establish to address these problems?

Answer. If confirmed, I will rapidly work with Army leadership to carefully plan and execute modernization and equipping efforts that meet warfighter needs on an affordable, timely, and effective basis.

MAJOR WEAPON SYSTEM ACQUISITION

*Question.* Do you believe that the Army's current investment budget for major systems is affordable given historic cost growth in major systems, costs of current operations, projected increases in end strength, and asset recapitalization?

Answer. I believe that current investments in major weapon systems are affordable and the Army has recently undertaken significant efforts to avert the leading causes of cost growth in past major programs. Moreover, the Army has carefully balanced competing demands for declining resources, to include support for ongoing operations, asset recapitalization, and support for soldiers in the current budget submission.

*Question.* If confirmed, how do you plan to address this issue?

Answer. If confirmed, I would work to develop and execute sound and affordable acquisition strategies in close collaboration with the requirements and resourcing organizations within the Army to ensure that cost growth is prevented to the fullest extent possible. Moreover, I would work with the Army leadership to ensure that the Army's investment in major weapons systems programs remains sustainable.

*Question.* What would be the impact of a decision by the Army to reduce purchases of major systems because of affordability issues?

Answer. In addition to the possible impacts on and fielding schedules for equipment in support of the warfighter, a reduction in the manner described above may result in an increase in the unit price of capabilities, thereby impacting planned acquisition strategies. Such increases in unit cost may also result in cost breaches under the Nunn-McCurdy legislation. Lastly, such reductions may have adverse effects on the key industrial base suppliers.

*Question.* Nearly half of DOD's major defense acquisition programs have exceeded the so-called Nunn-McCurdy cost growth standards established in section 2433 of title 10, U.S.C., to identify seriously troubled programs. Section 206 of the Weapon Systems Acquisition Reform Act of 2009 (WSARA) tightened the standards for addressing such programs.

What steps if any would you take, if confirmed, to address out-of-control cost growth on the Army's major defense acquisition programs?

Answer. It is my understanding that cost growth in many Army programs resulted from the instability of requirements, combined with a reliance on immature technologies, which contributed to a high degree of risk in associated cost growth. If confirmed, I would place an emphasis on acquisition strategies that anticipate and mitigate the causes for such risk in major defense acquisition programs. Moreover, I would work closely with the organizations responsible for requirements generation to ensure that cost informed trade-offs in system requirements are fully explored to reduce risk and ensure that programs remain affordable.

*Question.* What steps if any do you believe that the Army should consider taking in the case of major defense acquisition programs that exceed the critical cost growth thresholds established in the Nunn-McCurdy provision?

Answer. If confirmed, I will monitor program cost to minimize Nunn-McCurdy breaches. Where a program experiences a "critical" Nunn-McCurdy breach, I would insist on strict compliance with all statutory and regulatory requirements associated with the Nunn-McCurdy reporting process. In programs involving critical breaches traced to root causes other than planned reductions in procurement quantities, I would insist on fully understanding, addressing, and preventing the specific causes of cost growth in future programs.

*Question.* Do you believe that the office of the ASA(ALT), as currently structured, has the organization and resources necessary to effectively oversee the management of these major defense acquisition programs? If not, how would you address this problem?

Answer. I believe that the Army acquisition community is appropriately structured and resourced. If I am confirmed, I intend to conduct an assessment to ensure that the Office of the ASA(ALT) is structured and adequately resourced to effectively oversee the management of Army acquisition, logistics, and technology efforts in the future.

*Question.* Do you see the need for any changes to the Nunn-McCurdy provision, as revised by section 206?

Answer. I am aware that section 831 of the National Defense Authorization Act for Fiscal Year 2012 provided some additional flexibility in this area. At the present time I do not see a need for broader amendments to the Nunn-McCurdy provision. However, if confirmed; I will have an opportunity to assess whether the challenges posed by compliance with the statutory requirements triggered by unit cost growth associated with planned reductions in procurement quantities require amendments to the legislation.

*Question.* What principles will guide your thinking on whether to recommend terminating a program that has experienced "critical" cost growth under Nunn-McCurdy?

Answer. It is my view that a decision on whether to recommend terminating a program that has experienced critical cost growth under Nunn-McCurdy must be made on a case by case basis, by taking into account the specific causes of cost growth in individual programs. This assessment should include whether the program is delivering capabilities essential to national security, consideration of alternatives that can provide comparable capability at less cost, whether the cost and schedule estimates are sound, and program management.

SYSTEMS ENGINEERING

*Question.* One of the premises for WSARA was that the best way to improve acquisition outcomes is to place acquisition programs on a sounder footing from the outset by addressing program shortcomings in the early phases of the acquisition process. The Defense Science Board Task Force on Developmental Test and Evaluation reported in May 2008 that "the single most important step necessary" to address high rates of failure on defense acquisition programs is "to ensure programs are formulated to execute a viable systems engineering strategy from the beginning."

Do you believe that the Army has the systems engineering and developmental testing organizations, resources, and capabilities needed to ensure that there is a sound basis for key requirements, acquisition, and budget decisions on major defense acquisition programs?

Answer. I believe that the Army currently has the required organizations, resources and capabilities to ensure that requirements, acquisition and budget decisions on major defense acquisition programs are sound. Since WSARA was enacted, the Army has placed significant emphasis on systems engineering in the development of major acquisition programs, to include the formulation of acquisition strategies tailored to identify and address systems engineering challenges early in major programs. WSARA also placed a renewed emphasis on developmental testing, focusing on the maturation of technologies and effective use of developmental testing to prevent issues arising in operational tests. The Army has implemented this statutory guidance and given systems engineering and developmental testing a high priority in its acquisition programs.

*Question.* What is your assessment of the Army's implementation to date of section 102 of WSARA, regarding systems engineering?

Answer. In my view, the Army has implemented the requirements under section 102, which call for development of systems engineering plans in major defense acquisition programs under the oversight of the Deputy Assistant Secretary of Defense for Systems Engineering. Since WSARA was enacted, the Army has established the Office of the Chief Systems Engineer to provide the Army's leadership and materiel developers with the necessary engineering/architectural products to manage and shape the Army's materiel portfolio, to ensure a System Engineering discipline across the materiel developer community throughout the acquisition life cycle. This Chief Systems Engineer's responsibilities also include the cultivation of System Engineering capabilities within the Army through education, engineering policy, guidelines and adoption of best industry practices.

Additionally, the Army has established a Directorate of Systems of Systems Integration, designed to improve reliability, availability, maintainability, and sustainability of Army equipment through rigorous system of systems assessment and analysis.

*Question.* What additional steps will you take, if confirmed, to implement this provision?

Answer. If confirmed, I would continue to expand efforts to improve systems engineering throughout the lifecycle of Army acquisition programs. Particularly as the Army undertakes modernization of networked and interoperable weapon systems and equipment, systems engineering oversight and expertise would be given significant emphasis.

*Question.* Do you believe that the Nation as a whole is producing enough systems engineers and designers and giving them sufficient experience working on engineering and design projects to ensure that the Army can access an experienced and technically trained systems engineering and design workforce?

Answer. As a Nation, we are short of systems engineers, and I believe we must continue to attract, train, and utilize talented systems engineers—both within the private sector and the government workforce. I am encouraged by the expansion of systems engineering training offered in our colleges and universities, but the Army must continue to develop and acquire this type of critical expertise.

*Question.* If not, what do you recommend should be done to address the shortfall?

Answer. If confirmed, I would work closely with other stakeholders within the Department to expand the Army's efforts to recruit and retain a skilled systems engineering workforce and work to leverage the expertise at universities and other federally funded institutions where appropriate.

TECHNOLOGICAL MATURITY

*Question.* Over the last several years, the Government Accountability Office (GAO) has reported that private sector programs are more successful than DOD programs because they consistently require that new technologies achieve a high level of maturity before such technologies may be incorporated into product development programs. Section 104 of WSARA addresses this issue by tightening technological maturity requirements for major defense acquisition programs.

How important is it, in your view, for the Army to mature its technologies with research and development funds before these technologies are incorporated into product development programs?

Answer. In my view, the Army must continue to address the maturity of technologies incorporated within development programs in order to avert a leading cause of cost growth. Whether the technologies are matured using government research and development funds, or through the private sector, I believe it is critically important to accurately gauge their maturity level prior to initiation of the Engineering and Manufacturing Development program.

*Question.* What steps if any would you take, if confirmed, to ensure that the key components and technologies to be incorporated into major acquisition programs meet the Army's technological maturity goals?

Answer. If confirmed, I will ensure that all technologies are peer reviewed for maturity before they transition to a program of record and I would ensure compliance with guidance regarding technological maturity standards issued by the Assistant Secretary of Defense for Research and Engineering pursuant to section 104 of WSARA.

*Question.* Do you believe that the Army has the organizations, resources and capabilities necessary to assess effectively the maturity of technologies that are critical to the development of major weapon systems that the Army procures?

Answer. I believe the Army does.

*Question.* If not, how should the Army address these deficiencies?

Answer. If confirmed, I would work to ensure that the Army adequately and consistently applies standards for assessing technological maturity used within the Department.

*Question.* Do you believe that the Army should make greater use of prototypes, including competitive prototypes, to ensure that acquisition programs reach an appropriate level of technological maturity, design maturity, and manufacturing readiness before receiving Milestone approval?

Answer. In my view, the Army should generally make greater use of prototypes in acquisition programs, to include competitive prototypes as required under WSARA, if these strategies contribute to the effective reduction of cost and schedule risk. These and other risk-mitigation strategies should be tailored to meet the needs of individual acquisition programs.

*Question.* If so, what steps do you believe the Army should take to increase its use of such prototypes?

Answer. If confirmed, I will continue to emphasize its importance and work to ensure that adequate resources are made available to support prototyping, as appropriate.

*Question.* The Army budget for fiscal year 2012 included $10 million for a Technology Maturation Initiative. The Army has requested $25 million for this initiative in fiscal year 2013.

What is your understanding of the purpose of the Technology Maturation Initiative?

Answer. My understanding is that the Technology Maturation Initiative provides a mechanism for expediting technology transition from the laboratory to operational use. The Army is using this initiative to mature promising technologies and subsystems to Technology Readiness Levels (TRL) greater than six, while conducting some competitive prototyping activities for key emerging systems prior to Milestone B. I believe this initiative will help reduce technical risk in future acquisition programs, increase transition opportunities for innovative technology-based solutions, and ultimately reduce cost in acquisition programs.

I understand that investments under this program are selected according to established criteria that consider the potential to accelerate technology transition, the prospect of cost and risk reduction associated with technology development and the project's potential for integration within an Army acquisition program. Each funded project is closely monitored to ensure that it is on track to deliver products on time and within budget.

*Question.* What steps will you take, if confirmed, to ensure that funding provided for the Technology Maturation Initiative is used in the most effective manner possible to promote the objectives of the initiative?

Answer. If confirmed, I will work to ensure that Technology Maturation Initiative funding is allocated only to those efforts that have high potential for addressing capability needs and transitioning mature technologies to programs of record. I would continue to require that candidate programs receive careful vetting and that projects are selected according to established criteria that further the initiative's goals. Also, if confirmed, I would continue to require that efforts funded under the Technology Maturation Initiative receive close oversight by my office.

*Question.* Section 2366b of title 10, U.S.C., requires the Milestone Decision Authority for a major defense acquisition program to certify that critical technologies have reached an appropriate level of maturity before Milestone B approval.

What steps if any will you take, if confirmed, to make sure that the Army complies with the requirements of section 2366b?

Answer. If confirmed, I will ensure the Army conducts Technology Readiness Assessments (TRA) to document that technologies have reached an appropriate level of maturity before receiving Milestone B approval. I will also ensure that processes, tools and resources are in place to meet all the requirements of section 2366a.

*Question.* What is your view of the recommendation of the Defense Science Board Task Force on the Manufacturing Technology Program that program managers should be required to make use of the Manufacturing Readiness Level tool on all programs?

Answer. In my view, the readiness of manufacturing processes plays a significant role in the cost, schedule, and production performance of the Army's development efforts. Understanding and ensuring a system's readiness for manufacturing is essential to success. While Manufacturing Readiness Levels may provide a tangible measure of maturity in manufacturing processes, such metrics must weigh the maturity of the system's design—particularly in the early stages of development, when designs have not yet fully matured—in order to provide a useful indication of risk.

*Question.* Beyond addressing technological maturity issues in acquisition programs, what other steps should the Army take to increase accountability and discipline in the acquisition process?

Answer. If confirmed, I would utilize milestone decision and other program reviews to emphasize accountability and discipline within the process. In addition, I would work closely with the Office of the Secretary of Defense to continue implementation of "should cost" benchmarks—bottom up assessments of what a program should cost—in addition to affordability targets under the Department's Better Buying Power initiative to impose rigor and discipline in our performance. Overall, I would work to instill a culture of cost-consciousness across the acquisition workforce.

EXCESSIVE CONCURRENCY

*Question.* Some of the Army's largest and most troubled acquisition programs appear to have suffered significantly from excessive concurrency—the effort to produce a weapon system, even as it is still being designed.

What impact do you believe that such excessive concurrency has on our efforts to produce major weapon systems on schedule and on budget?

Answer. In my view, a high degree of concurrency—commencement of production while design is ongoing—contributes significant risk to weapon systems programs, particularly if the concurrency is attributable to evolving requirements in the late phases of development. This type of risk is likely to result in significant cost growth in major acquisition programs.

*Question.* What steps will you take, if confirmed, to address this issue?

Answer. If confirmed, I would work diligently with affected stakeholders, to include the requirements generation community, to minimize concurrency and associated risk in Army acquisition programs.

UNREALISTIC COST, SCHEDULE, AND PERFORMANCE EXPECTATIONS

*Question.* Many acquisition experts attribute the failure of DOD acquisition programs to a cultural bias that routinely produces overly optimistic cost and schedule estimates and unrealistic performance expectations. Section 101 of WSARA is designed to address this problem by establishing an independent Director of Cost Assessment and Performance Evaluation, who is charged with ensuring the development of realistic and unbiased cost estimates to support the Department's acquisition programs.

Do you agree with the assessment that overly optimistic cost and schedule estimates and unrealistic performance expectations contribute to the failure of major defense acquisition programs?

Answer. Yes.

*Question.* If confirmed, how do you expect to work with the Director of the new office to ensure that the Army's cost, schedule, and performance estimates are realistic?

Answer. The Director, CAPE performs a critical role in the acquisition process by providing independent cost assessment and program evaluation to the Milestone Decision Authority. If confirmed, I will work closely with the Director, CAPE to ensure that cost, schedule, and performance estimates are performed early, independently validated, and managed throughout a program's life cycle.

*Question.* Section 201 of WSARA seeks to address this problem by promoting early consideration of trade-offs among cost, schedule, and performance objectives in major defense acquisition programs.

Do you believe that early communication between the acquisition, budget and requirements communities in the Army can help ensure more realistic cost, schedule, and performance expectations?

Answer. I do. Greater collaboration between the program management, requirements and resourcing communities is essential to the development of a realistic and realizable program. This collaboration must take place early and throughout the development of new capabilities in order to maintain affordability and meet warfighter requirements on a timely and effective basis.

*Question.* If so, what steps if any would you take, if confirmed, to ensure such communication?

Answer. If confirmed, I will work with the Army's requirements and resourcing stakeholders to collectively maintain affordable and achievable weapon system programs by identifying requirements tradeoffs and instituting sound acquisition strategies consistent with available resources.

*Question.* DOD has increasingly turned to incremental acquisition and spiral development approaches in an effort to make cost, schedule, and performance expectations more realistic and achievable.

Do you believe that incremental acquisition and spiral development can help improve the performance of the Army's major acquisition programs?

Answer. In my view, incremental acquisition strategies are effective; particularly where rapidly evolving technologies are involved or rapid fielding is needed to meet operational need.

*Question.* What risks do you see in the Army's use of incremental acquisition and spiral development?

Answer. In pursuing incremental acquisition, an open architecture needs to be established to enable incorporation of next-generation technologies. In addition, growth margins must be accommodated in the architecture to enable rapid insertion.

*Question.* In your view, has the Army's approach to incremental acquisition and spiral development been successful? Why or why not?

Answer. I believe the Army's approach has been successful in the conduct of recent major weapon systems. For example, the Ground Combat Vehicle program strategy was designed with prioritized requirements as part of an incremental strategy for development of an improved infantry fighting vehicle. This approach provides industry with significant flexibility in developing designs that meet the Army's cost and schedule targets. Similarly, the Army has had success implementing incremental strategies in development of tactical network.

*Question.* What steps if any do you believe are needed to ensure that the requirements process, budget process, and testing regime can accommodate incremental acquisition and spiral development approaches?

Answer. If confirmed, I would work closely with the Army requirements, resourcing and testing communities to develop and execute incremental acquisition strategies, where appropriate.

*Question.* How should the Army ensure that the incremental acquisition and spiral development programs have appropriate baselines against which to measure performance?

Answer. I believe that appropriate baselines must be developed in close collaboration with the warfighter to ensure that the capability provided by each increment, and its cost, is well understood.

TIME-CERTAIN DEVELOPMENT

*Question.* The Defense Acquisition Performance Assessment (DAPA) panel recommended in 2006 that the Department set fixed durations for program phases, including a requirement for the delivery of the first unit of a major weapon system to operational forces within 6 years of the Milestone A decision. The DAPA panel believed that durations for program phases could be limited by ensuring appropriate levels of technological maturity, defined risk-reduction horizons, and program execution criteria, while allowing for the use of spiral development or block upgrades for enhancements in capability or increased requirements over time. Proponents of this approach, called time-certain development, have highlighted its potential for helping ensure that "evolutionary" (or "knowledge-based") acquisition strategies are used to develop major systems by forcing more manageable commitments to discrete increments of capability and stabilize funding by making costs and schedules more predictable.

What is your view of the DAPA panel's recommendation?

Answer. If confirmed, I look forward to the opportunity to assess the merits of the DAPA panel's recommendation within the conduct of acquisition programs in the Army's portfolio.

*Question.* What is your view of time-certain development as an acquisition strategy for major weapons systems development programs?

Answer. In my view, the use of set or fixed durations for each phase of the acquisition cycle may preclude tailored acquisition strategies.

*Question.* What steps if any would you take, if confirmed, to implement time-certain development strategies in the future acquisition programs?

Answer. If confirmed, I would work closely with affected stakeholders to assess the feasibility of implementing time-certain development strategies, where appropriate.

PERFORMANCE-BASED PAYMENTS

*Question.* In 1995, the Federal Acquisition Regulation was revised to create a new category of payments, known as Performance-Based Payments (PBPs) on fixed-price contracts. PBPs are made on the basis of the physical completion of authorized work, rather than the incurrence of seller costs.

In your view, what advantages, if any, can the Army gain by using PBPs more extensively in connection with fixed-price contracts for the development of its major systems?

Answer. Where specified program achievements are well-defined, PBP strategies, in conjunction with fixed-price contracts, may help address risks in technical performance and program schedules in appropriate cases.

*Question.* Do you believe that PBPs should be the preferred means of providing contract financing under fixed-price contracts for the development of the Army's major systems? Why or why not?

Answer. A preference for PBPs within Army fixed-price contracts would depend on whether the program has well-defined requirements and a stable design. If con-

firmed, I would welcome the opportunity to evaluate the utility of PBPs within fixed-price contracts used in the Army.

FUNDING AND REQUIREMENTS STABILITY

*Question.* The poor performance of major defense acquisition programs has also been attributed to instability in funding and requirements. In the past, DOD has attempted to provide greater funding stability through the use of multiyear contracts. More recently, the Department has sought greater requirements stability by instituting Configuration Steering Boards to exercise control over any changes to requirements that would increase program costs.

Do you support the use of Configuration Steering Boards to increase requirements stability on major defense acquisition programs?

Answer. I fully support the use of Configuration Steering Boards (CSBs) to address the stability of requirements in major defense acquisition programs. I believe that funding and requirements stability is an essential component of successful acquisition programs. The Army currently employs CSBs on a regular basis to identify opportunities to de-scope requirements contributing to undue cost growth and performance risk in major defense acquisition programs.

*Question.* What other steps if any would you recommend taking to increase the funding and requirements stability of major defense acquisition programs?

Answer. If confirmed, I would work closely with senior officials within the Army and the Office of the Secretary of Defense to continue the use of CSBs in the conduct of Army major weapon systems programs to address the need for requirements and funding stability. Moreover, I would place a significant emphasis on greater collaboration with the requirements generation and resourcing communities to identify and address areas where instability presents challenges in acquisition programs.

FIXED PRICE-TYPE CONTRACTS

*Question.* Recent Congressional and DOD initiatives attempt to reduce technical and performance risks associated with developing and producing major defense acquisition programs so as to minimize the use of cost-reimbursable contracts.

Do you think that the Army should move towards more fixed price-type contracting in developing or procuring major defense acquisition programs? Why or why not?

Answer. Use of fixed-price contracts, where appropriate, is a key tenet of the Department's Better Buying Power initiative. In my opinion, the Army should use the type of contract that is best suited for the acquisition program at issue, after considering the complexity and risk associated with technical designs, the speed with which capabilities must be provided to the warfighter, industry's experience in developing and integrating relevant technologies, and the need to maintain technological superiority. If confirmed, I will ensure that Army acquisition strategies reflect sound business judgment in selecting the appropriate contract type.

*Question.* Under what circumstances, if any, do you believe it would be appropriate for the Army to use a cost-type contract for the production of a major weapon system?

Answer. In my view, cost-type contracts may be appropriate in development programs. These include efforts involving significant technical challenges, such as high risk associated with development of unprecedented technologies, significant software development or development of new manufacturing technologies and/or processes. Cost-type contracts may also be appropriate during production where there is operational urgency for the needed capability, or where a lack of experience within the defense industry, the need to maintain technological superiority over peers and adversaries, or where some combination of these and other related factors warrant such a contracting strategy.

TECHNOLOGY TRANSITION

*Question.* The Department continues to struggle with the transition of new technologies into existing programs of record and major weapons systems and platforms. Further, the Department also has struggled with moving technologies from DOD programs or other sources rapidly into the hands of operational users.

What impediments to technology transition do you see within the Army?

Answer. In my view, the successful transition of new technologies to Army programs of record is critical to the long-term success of our acquisition efforts. In my opinion, the most significant impediment to technology transition lies in the lack of coordination among relevant stakeholders necessary to facilitate the transition. While S&T programs often demonstrate technology concepts, they frequently are not mature enough for direct insertion into Programs of Record. Close and continuous

coordination between the S&T organizations, industry, academia, FFRDCs, government laboratories with the Army materiel developers is essential for success.

*Question.* What steps if any will you take, if confirmed, to enhance the effectiveness of technology transition efforts?

Answer. If confirmed, I will work to ensure that technology investment strategies are closely coordinated with warfighter requirements and capabilities developed within the acquisition process in order to transition mature technologies as appropriate. I will also assess appropriate metrics applicable to the S&T community to gauge progress in transition efforts.

*Question.* What can be done from a budget, policy, and organizational standpoint to facilitate the transition of technologies from science and technology programs and other sources, including small businesses, venture capital funded companies, and other nontraditional defense contractors, into acquisition programs?

Answer. If confirmed, I would work closely with the Assistant Secretary of Defense, Research and Engineering, as well as the small business and S&T communities to encourage tighter collaboration with the acquisition community.

*Question.* Do you believe that the Army's science and technology organizations have the ability and the resources to carry technologies to higher levels of maturity before handing them off to acquisition programs?

Answer. I do.

*Question.* What steps if any do you believe the Army should take to ensure that research programs are sufficiently funded to reduce technical risk in programs so that technological maturity can be demonstrated at the appropriate time?

Answer. If confirmed, I will work with all stakeholders to ensure that the Army science and technology effort is resourced to accomplish its mission.

*Question.* What role do you believe Technology Readiness Levels and Manufacturing Readiness Levels should play in the Army's efforts to enhance effective technology transition and reduce cost and risk in acquisition programs?

Answer. In my view, well-defined and consistently applied assessments of technological readiness and manufacturing readiness serve as valuable tools in reducing the cost and risk in Army acquisition programs. Technology Readiness Assessments provide a standardized metric to identify the maturity of new technologies, or existing technologies used in a new or novel fashion. By ensuring that new technologies are at adequate maturity levels with appropriate risk mitigation plans to warrant continued progression through the acquisition process, the Army mitigates the risk of having schedule and cost overruns that can result from having immature technology matured within an acquisition program.

While Manufacturing Readiness Levels may provide a tangible measure of maturity in manufacturing processes, such metrics must weigh the maturity of the system's design—particularly in the early stages of development, when designs have not yet fully matured—in order to provide a useful indication of risk. If confirmed, I will evaluate the effectiveness of formal Manufacturing Readiness Levels in reducing cost and risk in acquisition programs and facilitating technology transition.

*Question.* What is your view of the Rapid Innovation Program established pursuant to section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011?

Answer. In my view, the Rapid Innovation Fund (RIF) is a valuable mechanism for supporting truly innovative technology solutions that are not funded through the Army's customary structured processes. I believe RIF support can help small and nontraditional businesses realize an increased role in meeting the Army's needs more rapidly and innovatively.

I understand that candidates for funding are solicited through a Broad Agency Announcement (BAA) followed by a careful selection of proposals with a high potential to demonstrate technology enabled capabilities that can be transitioned to either programs of record or rapidly fielded to soldiers.

*Question.* What do you see as the major challenges to successful implementation of this program?

Answer. I do not anticipate any major challenges, but if confirmed, I would ensure that the selection process is consistently and transparently employed and that oversight of RIF funded projects is diligently maintained to promote the best use of these funds.

*Question.* What steps will you take, if confirmed, to ensure that funds authorized and appropriated for this program are spent in the most effective manner possible to promote the objectives of the program?

Answer. See response above.

MULTIYEAR CONTRACTS

*Question.* The statement of managers accompanying Section 811 of the National Defense Authorization Act for Fiscal Year 2008 addresses the requirements for buying major defense systems under multiyear contracts as follows: "The conferees agree that 'substantial savings' under section 2306b(a)(1) of title 10, U.S.C., means savings that exceed 10 percent of the total costs of carrying out the program through annual contracts, except that multiyear contracts for major systems providing savings estimated at less than 10 percent should only be considered if the Department presents an exceptionally strong case that the proposal meets the other requirements of section 2306b(a), as amended. The conferees agree with a Government Accountability Office finding that any major system that is at the end of its production line is unlikely to meet these standards and therefore would be a poor candidate for a multiyear procurement contract."

What are your views on multiyear procurements? Under what circumstances do you believe they should be used?

Answer. I support the use of multiyear procurements as a potential source of substantial procurement savings in the Army. In my view, multiyear procurements offer improved use of industrial facilities, funding stability, economies of scale and reduced administrative burdens in contracting. This, in turn, enables industry to focus their IR&D to improve manufacturing processes. The decision to pursue multiyear procurements should weigh the stability of system requirements and availability of funding, the maturity of system designs and associated technical and manufacturing risks, and industry's expertise in production processes.

*Question.* What is your opinion on the level of cost savings that constitute "substantial savings" for purposes of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. It is my understanding that title 10 U.S.C. § 2306b does not establish a specific numerical savings threshold below which multiyear procurements would be disfavored. In addition, I am aware of citations to a 10 percent savings minimum as a reasonable measure of "substantial savings." I agree that multiyear savings must indeed be substantial as compared to annual procurements, and that a 10 percent benchmark serves as a reasonable indicator of such savings. However, if confirmed, I would not foreclose the option to pursue multiyear procurements achieving a level of savings below 10 percent in appropriate circumstances on a case-by-case basis.

*Question.* If confirmed, under what circumstances, if any, do you anticipate that you would support a multiyear contract with expected savings of less than 10 percent?

Answer. See response above.

*Question.* If confirmed, under what circumstances, if any, would you support a multiyear contract for a major system at the end of its production line?

Answer. If confirmed, I would pursue multiyear procurements, as appropriate, where such procurement strategies are warranted by the verified identification of substantial savings to the taxpayer. The decision to enter a multiyear procurement on systems nearing the end of production would depend on careful consideration of a variety of factors and the degree of savings to be achieved.

*Question.* Under what circumstances, if any, do you believe that a multiyear contract should be used for procuring weapons systems that have unsatisfactory program histories, e.g., displaying poor cost, scheduling, or performance outcomes but which might otherwise comply with the requirements of the defense multiyear procurement statute, title 10 U.S.C. § 2306b?

Answer. The decision to enter a multiyear procurement would depend on careful consideration of a variety of factors, to include program risks and contractor performance, in addition to the degree of savings to be achieved. If confirmed, I would carefully evaluate and assess all such factors in determining whether to pursue multiyear procurements. Unsatisfactory program performance will be a major factor in consideration of whether to pursue a multiyear procurement.

*Question.* What is the impact of the Department's current budget situation, in your view, on the feasibility and advisability of additional multiyear procurement contracts for major weapon systems?

Answer. In my view, declining resources present a significant challenge to the sustained use of multiyear procurements in the Army. Any decision to pursue additional multiyear procurement contracts must carefully weigh the potential risk associated with funding instability with the positional cost savings for the Army.

*Question.* Under what circumstances, if any, should the Army ever break a multiyear procurement?

Answer. In my view, a break in multiyear procurement should be a rare event warranted only under exceptional circumstances, to include an unplanned or sharp reduction in funding, or poor delivery performance by the contractor.

*Question.* What impact if any does the use of a multiyear contract have, in your view, on the operation and sustainment cost for a weapon system?

Answer. In my opinion, multiyear procurements can offer significant savings in the area of operation and sustainment costs of a major weapon system. The funding stability provided by a multiyear contract enables both the prime contractor and their subcontractors to invest to improve their manufacturing processes.

*Question.* To what extent should the Army consider operation and sustainment costs, and the stability of such costs, before making a decision whether to acquire a major system under a multiyear contract?

Answer. In my view, the Army should assess all factors and potential areas of risk in determining whether to pursue savings through multiyear procurements.

*Question.* The Army's fiscal year 2013 budget proposal seeks approval to enter into a new 5-year contract for the procurement of CH–47 Chinook helicopters.

What impact would procuring these helicopters under a multiyear contract have on the Army's budgetary flexibility in a period when tight budgets and possible sequestration could require deep budget cuts?

Answer. In my view, the proposal to enter into a new 5-year contract for CH–47 Chinook helicopters comports fully with the statutory requirements for multiyear procurements and reflects a deliberate assessment of associated risks and projected substantial savings.

*Question.* Do you believe that it is in the best interests of the Army to restrict its budgetary flexibility in this manner? Why or why not?

Answer. Particularly in a resource constrained environment, I support the decision to achieve substantial taxpayer savings. The CH–47 program has a long history of stability and success in meeting warfighter needs.

CONTINUING COMPETITION AND ORGANIZATIONAL CONFLICTS OF INTEREST

*Question.* Section 202 of WSARA requires DOD to take steps to promote continuing competition (or the option of such competition) throughout the life of major defense acquisition programs.

What is your view on the utility of continuing competition as a tool to achieve long-term innovation and cost savings on major defense acquisition programs?

Answer. I fully agree that competition serves as a valuable tool in driving technological innovation, achieving cost savings and reducing schedule in acquisition programs. I support efforts to expand use of competition at key program milestones, consistent with the Department's Better Buying Power initiative.

*Question.* Do you believe that such continuing competition is a viable option on major defense acquisition programs?

Answer. I believe that increased competition is a vital tool for promoting long-term innovation and cost savings in weapon system programs.

*Question.* If so, what steps if any can and should the Army take to address this issue?

Answer. If confirmed, I would ensure that acquisition strategies for Army programs incorporate increased use of competition where ever appropriate.

*Question.* Section 203 of WSARA requires the use of competitive prototypes for major defense acquisition programs unless the cost of producing such prototypes would exceed the lifecycle benefits of improved performance and increased technological and design maturity that prototypes would achieve.

Do you support the use of competitive prototypes for major defense acquisition programs?

Answer. I do. Competitive prototypes provide a valuable mechanism for identifying and addressing systems integration challenges in complex systems, maturing technologies, identifying potential requirements trades and reducing the overall cost and schedule risk of developmental efforts. I support the use of competitive prototypes at the system and subsystem level where the use of this approach effectively reduces government risk.

*Question.* Under what circumstances do you believe the use of competitive prototypes is likely to be beneficial?

Answer. In my view, competitive prototypes are useful in the technology development phase involving immature technologies, technologies integrated in new ways, or where system requirements need refinement.

*Question.* Under what circumstances do you believe the cost of such prototypes is likely to outweigh the potential benefits?

Answer. There may be instances in which competitive prototypes do not provide a cost-effective means to reduce risk in an acquisition program. Such instances may include programs calling for competition of relatively mature technologies, or cases in which the government acquires the most current versions of rapidly evolving technologies, such as radios or mobile handheld devices. A cost benefit analysis could be used to determine if a prototype is beneficial.

*Question.* Section 207 of WSARA required the Department to promulgate new regulations to address organizational conflicts of interest on major defense acquisition programs.

Do you agree that organizational conflicts of interest can reduce the quality and value of technical support services provided to the Army and undermine the integrity of the Army's acquisition programs?

Answer. Yes.

*Question.* What is your understanding of the steps the Army has taken to implement section 207 and the new regulations?

Answer. My understanding is that section 207 of WSARA has been implemented within the Defense Federal Acquisition Regulation Supplement, which is fully applicable to the Army.

*Question.* What additional steps if any do you believe the Army should take to address organizational conflicts of interest in major defense acquisition programs?

Answer. The occurrence and perception of organizational conflicts of interest presents a serious threat to the integrity of the acquisition process. If confirmed, I would ensure that senior Army program and contracting officials remain sensitive to potential OCIs and ensure that they are appropriately addressed. I also would work closely with the Office of the Secretary of Defense and to determine and implement appropriate policies, procedures, and other measures needed to address this concern.

*Question.* What are your views on the use of system engineering and technical assistance contractors that are affiliated with major defense contractors to provide "independent" advice to the Army on the acquisition of major weapon systems?

Answer. I support the applicable statutory and regulatory guidance that governs the use of such contractor personnel. If confirmed, I will work to ensure that Army acquisition programs closely adhere to guidance regarding inherently governmental functions in this area and that programs adhere to applicable rules, regulations and statutes governing organizational conflicts of interest.

*Question.* What lines do you believe the Army should draw between those acquisition responsibilities that are inherently governmental and those that may be performed by contractors?

Answer. If confirmed, I would work closely with other Army senior leaders to execute Departmental guidance regarding the performance of inherently governmental functions in acquisition by the government workforce.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not misuse their access to sensitive and proprietary information of the Army and other defense contractors?

Answer. If confirmed, I would emphasize compliance with and enforcement of applicable rules, policies and laws governing the misuse of sensitive and proprietary information within the Army. Moreover, to the extent that revised or additional measures are required to safeguard sensitive or proprietary information, I would support efforts to strengthen existing policies.

*Question.* If confirmed, what steps if any would you take to ensure that defense contractors do not unnecessarily limit competition for subcontracts in a manner that would disadvantage the government or potential competitors in the private sector?

Answer. If confirmed, I would work to develop or reinforce policies that support competition at the subcontractor level, as appropriate.

OPERATING AND SUPPORT COSTS

*Question.* Operating and support (O&S) costs far exceed acquisition costs for most major weapon systems. Yet, DOD has placed far less emphasis on the management of O&S costs than it has on the management of acquisition costs. Section 832 of the National Defense Authorization Act for Fiscal Year 2012 requires the Department to take a series of steps to improve its processes for estimating, managing, and reducing such costs.

What steps will you take, if confirmed, to implement the requirements of section 832 in the Army?

Answer. If confirmed, I would fully support implementation of section 832 and associated efforts under the legislation designed to assess, manage and control operation and support (O&S) costs in major weapon system programs. In the conduct

of Army acquisition programs, I would ensure that the life cycle cost data required under the legislation is collected and assessed in major weapon systems programs.

*Question.* Do you believe that the Army has appropriate organizations, capabilities, and procedures in place to monitor and manage O&S costs?

Answer. It is my understanding that a large percentage of system lifecycle costs are generally attributable to O&S costs. I believe that the Army has the appropriate organizations, capabilities and procedures in place to monitor and manage O&S costs. To the extent that the Army needs strengthened support in this area, if confirmed, I would work closely with Army leaders to ensure that O&S costs are appropriately addressed.

*Question.* If not, what steps would you take, if confirmed, to develop such organizations, capabilities, and procedures?

Answer. See response above.

CONTRACTING FOR SERVICES

*Question.* By most estimates, the Department now spends more for the purchase of services than it does for products (including major weapon systems). After a decade of rapid growth, section 808 of the National Defense Authorization Act for Fiscal Year 2012 placed a cap on DOD spending for contract services.

Do you believe that the Army can do more to reduce spending on contract services?

Answer. I believe that the Army has made significant progress in identifying and categorizing service contracts under the Better Buying Power initiative and efforts under the Army's Institutional Army Transformation Commission, while identifying areas of cost growth and potential reduction. If confirmed, I would work closely with Army leadership to implement and expand these efforts as appropriate.

*Question.* Do you believe that the current balance between government employees (military and civilian) and contractor employees is in the best interests of the Army?

Answer. It is my opinion that a combination of military, government civilians, and contractor employees is necessary. If confirmed, I will work with Army leadership to identify the right mix of resources in the best interest of the Army.

*Question.* What steps if any would you take, if confirmed, to control the Army's spending on contract services and ensure that the Army complies with the requirements of section 808?

Answer. If confirmed, I will work with Army commands and organizations to implement the requirements of section 808 and continue ongoing efforts within the Department to control the growth of spending in this area.

*Question.* Section 812 of the National Defense Authorization Act for 2007 required DOD to develop a management structure for the procurement of contract services. Sections 807 and 808 of the National Defense Authorization Act for Fiscal Year 2008 (subsequently codified in section 2330a of title 10, U.S.C.) require DOD to develop inventories and conduct management reviews of contracts for services.

Do you believe that the Army has appropriate organizations, capabilities, and procedures in place to manage its service contracts?

Answer. I do. Oversight and management of the Army's service contract initiatives falls within the Office of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology), which is responsible for execution of detailed plans to identify and harness savings in service contracts and address areas of cost growth through formal oversight.

*Question.* If not, what steps would you take, if confirmed, to develop such organizations, capabilities, and procedures?

Answer. See answer above.

*Question.* Do you support the use of management reviews, or peer reviews, of major service contracts to identify "best practices" and develop lessons learned?

Answer. I do. If confirmed, I will continue to study and support mechanisms that effectively facilitate the identification of best practices and sharing of lessons learned in this area. In addition, I will collaborate with the Air Force and Navy acquisition executives to share lessons learned.

*Question.* If confirmed, will you fully comply with the requirement of section 2330a?

Answer. If confirmed, I will fully comply with the requirements under section 2330a relating to the procurement of services.

*Question.* Section 863 of the National Defense Authorization Act for Fiscal Year 2011 requires DOD to establish a process for identifying, assessing, reviewing, and validating requirements for the acquisition of contract services.

What is the status of the Army's efforts to implement the requirements of section 863?

Answer. The Army has established a Senior Services Manager (Senior Executive Service position) within the Office of the Assistant Secretary of the Army (Acquisition, Logistics, and Technology) to provide policy and oversight of Army services acquisition. In September 2011, the Secretary of the Army approved a Services Optimization Plan that established an organizational structure and processes for oversight and management of services acquisitions that focuses on efficiency, effectiveness, and cost reductions.

*Question.* What steps remain to be taken, and what schedule has the Army established for taking these steps?

Answer. The Army is implementing a number of initiatives during fiscal years 2012 and 2013. These efforts include annual requirements and execution reviews of services acquisitions in an effort to obtain effective and efficient services at the lowest cost, developing a services business intelligence capability to provide Army leaders end-to-end understanding of services acquisitions requirements, performance and cost, efforts to codify procedures and standards in applicable Army regulations, and working with the Defense Acquisition University to add new services acquisition management practices into training courses.

*Question.* What additional steps if any would you take, if confirmed, to improve the Army's management of its contracts for services?

Answer. If confirmed, I would work closely with Army commands and organizations to identify areas to refine and improve the management of contracts for services, establish metrics, and monitor progress.

CONTRACTOR PERFORMANCE OF CRITICAL GOVERNMENTAL FUNCTIONS

*Question.* Over the last decade, the Department has become progressively more reliant upon contractors to perform functions that were once performed exclusively by government employees. As a result, contractors now play an integral role in areas as diverse as the management and oversight of weapons programs, the development of personnel policies, and the collection and analysis of intelligence. In many cases, contractor employees work in the same offices, serve on the same projects and task forces, and perform many of the same functions as DOD employees.

In your view, has the Army become too reliant on contractors to support the basic functions of the Department?

Answer. In my view, the Army must maintain the appropriate mix of military, civilian, and contractor support within the acquisition function. If confirmed, I would focus on making any necessary adjustments to ensure that the Army's acquisition workforce possesses and retains critical skills needed to equip soldiers and reduces dependence on contractors.

*Question.* Do you believe that the current extensive use of personal services contracts is in the best interest of the Army?

Answer. If confirmed, I will work closely with Army leadership to address the extent to which personal services contracts should be used.

*Question.* What is your view of the appropriate applicability of personal conflict of interest standards and other ethics requirements to contractor employees who perform functions similar to those performed by government employees?

Answer. In my opinion, appropriate personal conflict of interest standards and other ethics requirements should be applied to contractor employees when they are performing functions similar to those performed by government employees. It is my understanding that, based on the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, standards and requirements relating to contractor employees who perform acquisition functions closely associated with inherently governmental functions are prescribed in the Federal Acquisition Regulation. If confirmed, I will use the resources of my office to ensure that such standards and requirements are applied as intended. The Army must always be an honest and transparent steward of the taxpayer dollars.

*Question.* U.S. military operations in Iraq and Afghanistan have relied on contractor support to a greater degree than any previous U.S. military operation. According to widely published reports, the number of U.S. contractor employees in Iraq and Afghanistan has exceeded the number of U.S. military deployed in those countries.

Do you believe that the Army has become too dependent on contractor support for military operations?

Answer. In my opinion, contractors provide vital life, safety, and health support to both wartime and peacetime military operations. Their contributions allow military personnel to focus on warfighting operations under established strength levels. I believe that the Army must continue to assess and define the appropriate levels of contractor support in current and future military operations.

*Question.* What risks do you see in the Army's reliance on such contractor support? What steps do you believe the Army should take to mitigate such risk?

Answer. In my view, the use of contractors provides critical support to warfighting operations. This situation presents potential operational risks in future situations where comparable contract support may be unavailable. It also may result in the Government incurring excessive costs for this support. To mitigate these risks, I believe that the Army must emphasize oversight of contractor performance and assess requirements in future operations.

*Question.* Do you believe the Army is appropriately organized and staffed to effectively manage contractors on the battlefield?

Answer. I believe we have made significant progress in growing the acquisition workforce to expand the ranks of trained contract oversight personnel, but much more work remains to be done. In my opinion, it will take time and continued efforts to adequately fill the increased authorizations with properly trained acquisition professionals.

*Question.* What steps if any do you believe the Army should take to improve its management of contractors on the battlefield?

Answer. In my opinion, the Army has made significant strides in developing new Policy, Doctrine, Organizations, Materiel solutions and Training focused on improving Operational Contract Support. It is my opinion that continued Army senior leader emphasis on the full implementation of these initiatives is required.

CONTRACTING METHODS

*Question.* In recent years, DOD has relied heavily on time-and-materials contracts for the acquisition of services. Under such a contract, the Department pays a set rate per hour for contractor services, rather than paying for specific tasks to be performed. In some cases, contractors have substituted less expensive labor under time-and-materials contracts, while continuing to charge Federal agencies the same hourly rates, resulting in effective contractor profits of 25 percent or more.

What is your view of the appropriate use of time-and-materials contracts by the Army?

Answer. Time-and-material contracts are the least preferred contract type. They may be appropriate in limited circumstances such as when the requirement cannot be defined and work must start. Once the requirement becomes better defined, however, time-and-materials contracts should be replaced with fixed-price or cost type contracts.

*Question.* What steps if any do you believe the Army should take to minimize the abuse of time-and-materials contracts?

Answer. If confirmed, I will work to ensure that the Army reviews its contract portfolio on a regular basis to identify those time-and-materials contracts that can be converted to more appropriate contract vehicles. Moreover, I would review existing policies and procedures to ascertain whether supplemental guidance is needed in this area.

*Question.* Section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 requires DOD to promulgate regulations prohibiting excessive "pass-through" charges on DOD contracts. Pass-through charges are charges added by a contractor for overhead and profit on work performed by one of its subcontractors, to which the contractor provided no added value. In some cases, pass-through charges have more than doubled the cost of services provided to DOD.

What is your view of the regulations promulgated by DOD to implement the requirements of section 852?

Answer. If confirmed, I would fully support enforcement of the Federal Acquisition Regulation Supplement provisions that governs pass-through charges. In my view, these provisions adequately addresses the need for oversight and control of excessive pass-through charges. As part of ongoing efforts to prioritize affordability within the Department, must ensure that our acquisition and contracting professionals evaluate contractor proposals with an eye towards reduction of excessive pass-through charges.

*Question.* What additional steps if any do you believe the Army should take to address the problem of excessive pass-through charges?

Answer. If confirmed, I would work with Army contracting professionals, the Defense Contract Audit Agency and the Defense Contract Management Agency to ensure that proper measures are in place to address excessive pass-through charges in the acquisition process. I would also work with Army Principal Assistants Responsible for Contracting (PARCs) to ensure that prime contractors are held accountable for the pass-through cost of subcontract performance.

*Question.* What additional steps if any do you believe the Army should take to address the problem of excessive pass-through charges?

Answer. If confirmed, I will review the effect of existing regulations to determine what additional steps, if any, may be necessary.

BETTER BUYING POWER

*Question.* DOD's Better Buying Power initiative provides acquisition professionals with important guidance on how to achieve greater efficiency, enhanced productivity and affordability in how the Department procures goods and services.

What steps if any will you take, if confirmed, to ensure that the Army's acquisition and contracting professionals implement this guidance, and achieve intended results?

Answer. I strongly support full implementation of the Department's Better Buying Power initiative and, if confirmed, will vigorously monitor, emphasize, and prioritize ongoing progress in its implementation.

*Question.* Which elements if any of this guidance do you disagree with and would not expect to fully implement, if confirmed?

Answer. There are no tenets of this guidance with which I disagree.

*Question.* How would you measure how effectively the Army's acquisition and contracting workforce is implementing the tradecraft and best-practices called for under this initiative?

Answer. The Army's success in implementing this initiative is reflected in the efficiencies identified and continuously monitored in an ongoing basis within acquisition programs.

*Question.* What steps would you take, if confirmed, to implement the following elements of the Better Buying Power initiative?

(1) Sharing the benefits of cash flow
(2) Targeting non-value-added costs
(3) Mandating affordability as a requirement
(4) Eliminating redundancy within warfighting portfolios

Answer. (1) If confirmed, I would continue efforts to implement guidance by the Office of Secretary of Defense regarding cash flow incentives tied to contractor performance in Army acquisition programs.

(2) If confirmed, I would work closely with the Office of the Secretary of Defense to implement policies, directives and guidance in this area.

(3) If confirmed, I would continue efforts to prioritize affordability in the development of acquisition strategies for weapon systems and to use cost-informed trade-offs in system development. In addition, affordability targets must now be established at Milestone A decisions.

(4) If confirmed, I would continue support for the Army's existing use of capability portfolio reviews to assess requirements for existing systems across portfolios and identify areas of redundancy for elimination.

INTERAGENCY CONTRACTING

*Question.* What is your assessment of the risks and benefits associated with the Army's continued extensive use of interagency contracts?

Answer. In my view, interagency contracts can provide efficient and effective methods for meeting Army mission requirements, but their use must carefully balance considerations regarding contract oversight and the incentives created under fee-for-service arrangements.

*Question.* Do you believe additional authority or measures are needed to hold Army or other agency personnel accountable for their use of interagency contracts?

Answer. If confirmed, I will review existing Army policies and guidance regarding interagency contracts and determine whether additional measures are warranted.

*Question.* Do you believe contractors have any responsibility for assuring that the work requested by Army personnel is within the scope of their contract?

Answer. While compliance with contract terms is a duty shared equally among the parties to any agreement, I believe that the primary responsibility for ensuring that work requested by the Army is within the agreement's scope rests with the Army contracting officer. The contractor has the responsibility to ensure that they can accomplish the tasks defined in the contract within cost and schedule.

*Question.* Do you believe that the Army's continued heavy reliance on outside agencies to award and manage contracts on its behalf is a sign that the Army has failed to adequately staff its own acquisition system?

Answer. I believe that a variety of factors have contributed to the increased use of outside agencies to award and manage contracts, to include operational urgency in meeting warfighter needs and challenges attributable to staffing. The Army has

undertaken robust efforts to grow the contracting workforce in response to these underlying issues. Furthermore, in my view, interagency contracting should only be used as appropriate and not as an expedient alternative to existing Army contracting processes. If confirmed, I would examine existing processes, manpower and policies to confirm the best response to this development.

ACQUISITION OF INFORMATION TECHNOLOGY

*Question.* Most of the Department's Major Automated Information System (MAIS) acquisitions are substantially over budget and behind schedule. In particular, the Department has run into unanticipated difficulties with virtually every new business system it has tried to field in the last 10 years. Section 804 of the National Defense Authorization Act for Fiscal Year 2010 required DOD to establish a new acquisition process for information technology.

Do you believe that unique problems in the acquisition of business systems require different acquisition strategies or approaches?

Answer. I agree that the acquisition of complex business systems calls for consideration of unique strategies and approaches that are different from traditional weapons systems acquisitions.

*Question.* What steps if any do you believe the Army should take to address these problems?

Answer. If confirmed, I would work closely with the Chief Management Officer of the Army, the Army Chief Information Officer and other affected stakeholders to review existing business systems under development and refine existing strategies as appropriate.

*Question.* If confirmed, how would you work with the Chief Information Officer of the Army to take these steps?

Answer. See response above.

*Question.* Section 818 of the National Defense Authorization Act for Fiscal Year 2012 establishes new requirements for DOD and its contractors to detect and avoid the use of counterfeit electronic parts.

What steps will you take, if confirmed, to implement the requirements of section 818? What schedule will you establish for taking these steps?

Answer. A comprehensive response to counterfeit parts requires a joint government and industry-wide effort to address and establish effective anti-counterfeit standards. If confirmed, I will work with organizations and leaders across the Department to comply with the requirements under section 818. In carrying out this mandate, the Department is focusing on weapon systems safety, mission assurance, and sensitive/critical parts across the supply chain. The Army has established a centralized reporting capability with industry to share information and to report potential counterfeit incidents and is strengthening its detection, supplier involvement, internal inspections and legal and contractual actions to address this issue. If confirmed, I would continue and reinforce these efforts.

*Question.* What additional steps do you believe the Army needs to take to address the problem of counterfeit electronic parts?

Answer. If confirmed, I would work closely with Army leadership and the Office of Secretary of Defense to evaluate the effectiveness of existing measures and recommend improvements if needed. In addition, I would seek industry's help in strengthening their detection and monitoring of potential counterfeit parts and establishment of improved quality control processes.

ACQUISITION WORKFORCE

*Question.* Do you believe that Army's workforce is large enough and has the skills needed to perform the tasks assigned to it?

Answer. I strongly support ongoing initiatives to grow the capacity and capability of the defense acquisition workforce as a means to maximize the effective use of resources in the acquisition of weapon systems. If confirmed, I will maintain a high priority on the success of efforts to improve the size and quality of the acquisition workforce.

*Question.* In your view, what are the critical skills, capabilities, and tools that the Army's workforce needs for the future? What steps will you take, if confirmed, to ensure that the workforce will, in fact, possess them?

Answer. In my view, the list of required critical skills is diverse—ranging from contracting, program management, systems engineering, cost estimating, risk management, and test planning and management, to name a few. If confirmed, I will vigorously support and advance efforts to grow the acquisition workforce and cultivate expertise in all critical areas.

*Question.* Do you agree that the Army needs a comprehensive human capital plan, including a gap analysis and specific recruiting, retention and training goals, to guide the development of its acquisition workforce?

Answer. I agree that a comprehensive human capital plan is useful in evaluating current workforce capabilities and determining future needs and gaps and that extensive planning has been underway since the Department initiated efforts to increase the size of the acquisition workforce.

*Question.* What steps if any do you think are necessary to ensure that the Army has the ability it needs to attract and retain qualified employees to the acquisition workforce?

Answer. I believe it is essential that the Army has effective recruiting and retention tools necessary to attract and retain a highly professional and skilled acquisition workforce. If confirmed, I would further assess this area to determine whether additional measures may be needed.

*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 Army's current effort to rebuild and reconstitute technical and management expertise in the workforce is in response to past reductions following the end of the Cold War. My view is that high quality technical and management expertise must reside within the Army's workforce in order to accomplish ongoing objectives in executing efficient, affordable, and ultimately successful acquisition programs. If confirmed, I would weigh these considerations in determining the appropriate degree of reliance on FFRDCs and contractors in current and future Army acquisition programs.

*Question.* What is the appropriate tenure for program managers and program executive officers to ensure continuity in major programs?

Answer. The tenure requirements for program managers are based on the Acquisition Category level of the Program and range from 3 to 4 years. I also understand that the Army and/or Defense Acquisition Executive have the authority to adjust the tenure requirement based on unique aspects of the program. I believe this policy represents the appropriate balance between program continuity and the professional development of the workforce.

*Question.* Section 852 of the National Defense Authorization Act for Fiscal Year 2008 established an Acquisition Workforce Development Fund to help DOD address shortcomings in its acquisition workforce. The fund provides a continuing source of funds for this purpose.

Do you believe that the Acquisition Workforce Development Fund is still needed to ensure that the Army has the right number of employees with the right skills to run its acquisition programs in the most cost effective manner for the taxpayers?

Answer. Yes, I believe the Defense Acquisition Workforce Development Fund is essential to carry out current initiatives to grow the capacity and capability of the defense acquisition workforce.

*Question.* If confirmed, what steps if any will you ensure that the money made available through the Acquisition Workforce Fund is spent in a manner that best meets the needs of the Army and its acquisition workforce?

Answer. If confirmed, I will ensure that the Fund is supported by the Army to continue the development of a professional acquisition workforce.

ARMY MODERNIZATION

*Question.* In general, major Army modernization efforts have not been successful over the past decade. Since the mid-1990s, Army modernization strategies, plans, and investment priorities have evolved under a variety of names from Digitization, to Force XXI, to Army After Next, to Interim Force, to Objective Force, to Future Combat System and Modularity. Instability in funding, either as provided by DOD or Congress, has been cited by the Army and others as a principal cause of program instability. For the most part, however, the Army has benefited from broad DOD and Congressional support for its modernization and readiness programs even when problems with the technical progress and quality of management of those programs have been apparent.

What is your assessment of the Army's modernization record?

Answer. The Army's past challenges in modernization efforts are attributable to a variety of factors, which generally include costly, unconstrained and shifting requirements, excessive reliance on immature technologies and technical challenges leading to cost growth and schedule delay. In my view, the Army has drawn valu-

able lessons from these prior efforts and has instituted significantly improved processes and approaches to modernization in response to this record.

*Question.* If confirmed, what actions, if any, would you propose to take to achieve a genuinely stable modernization strategy and program for the Army?

Answer. If confirmed, I would work in close collaboration with the requirements generation community and the programming and resourcing communities to develop affordable, sustainable and achievable modernization strategies and incorporate lessons learned in prior efforts.

*Question.* What is your understanding and assessment of the Army's modernization investment strategy?

Answer. My understanding is that Army's modernization investment strategy is based on assessments of evolving threats, military requirements, the state of current and planned capabilities and the Army's resources. Despite declining budgets, the Army must conduct modernization efforts to provide affordable, adaptive, flexible and decisive capabilities to soldiers in response to global responsibilities. Consistent with the Army's strategic review and assessment of modernization needs, I understand that the Army's top modernization priorities include the Network, the Ground Combat Vehicle, the Joint Light Tactical Vehicle, and Soldier Systems. If confirmed, I would work to advance affordable, sound and successful modernization strategies consistent with these efforts. In addition, I will collaborate with the requirements community and intelligence community to ensure that the Army's modernization portfolio can address a broad spectrum of emerging threats.

*Question.* In your view, what trade-offs would most likely have to be taken should budgets fall below or costs grow above what is planned to fund the Army's modernization efforts?

Answer. Any decisions regarding proposed trade-offs in the event of unanticipated decline in the budget or cost growth would need to be fully coordinated across the Army and Department. A careful assessment of the Army's priorities, emerging threats, current and projected capabilities, affordability, and industrial base issues will have to be performed. In the case of unanticipated cost growth in programs, I would work with industry to understand the root causes and implement appropriate mitigation efforts. In addition, I would collaborate with Army and Department stakeholders to determine the best approach for meeting warfighter needs.

ARMY WEAPON SYSTEM PROGRAMS

*Question.* What is your understanding and assessment of the following research, development, and acquisition programs?

Ground Combat Vehicle.

Answer. My understanding is that the Army's current Infantry Fighting Vehicle is reaching the limit of its capacity to receive upgrades proven critical for soldiers in combat operations. The Ground Combat Vehicle (GCV) is the Army's replacement program for the Infantry Fighting Vehicle and is the centerpiece of the Army's overall combat vehicle modernization strategy. It will be designed to deliver and protect a full nine-man squad with improved survivability, mobility and network integration, which is crucial in combat operations. The current acquisition strategy draws from best practices in acquisition and institutes a variety of measures designed to maintain affordability and reduce program risk in meeting program objectives.

*Question.* Stryker combat vehicle, including the double-v hull and Stryker mobile gun variants.

Answer. In my view, the Stryker combat vehicle is an acquisition program that has proven to be highly successful in Iraq and Afghanistan. Blast deflecting double-v hull improvements have saved lives in Afghanistan and the Army continues to procure vehicles under existing equipping plans. My understanding is that the Army is currently assessing plans to procure additional variants of Stryker vehicles, to include the mobile gun variant.

*Question.* Joint Light Tactical Vehicle (JTLV).

Answer. The Joint Light Tactical Vehicle is a joint Service program between the Army and Marine Corps to replace approximately one-third of the Army's existing tactical wheeled vehicle fleet. The JLTV incorporates the strengths of Mine-Resistant, Ambush Protected (MRAP) vehicles and will be capable across a range of military operations and physical environments providing improved mobility and protection to soldiers.

The Army and Marine Corps strategy in JLTV development reflects sustained efforts in collaboration with the requirements community to maintain an affordable and effective effort.

*Question.* Armed Aerial Scout (AAS) Helicopter.

Answer. The AAS program is needed to meet existing capability gaps in the area of manned armed aerial reconnaissance and find a materiel solution to replace the current fleet of OH–58D Kiowa Warrior (KW) helicopters. The Army is currently studying alternatives to meet the gaps and, consistent with an analysis of alternatives, determine whether to execute a Service Life Extension Program (SLEP) of the entire Kiowa Warrior fleet or pursue a new AAS program

*Question.* M1 Abrams tank modernization.

Answer. The Abrams tank remains the best tank in the world, and the age of the current tank fleet is low—only 2–3 years on average. The Army currently plans to conduct improvements to the Abrams tank in order to increase protection, ensure required mobility, and allow integration of the emerging network on future platforms. These modernization efforts are planned to commence in fiscal year 2017.

*Question.* M2 Bradley infantry fighting vehicle modernization.

Answer. The Bradley also has been an integral part of the Army's force structure for decades and requires modernization. The infantry fighting vehicle variant will be replaced by the Army's Ground Combat Vehicle while non-infantry fighting vehicle models will undergo incremental improvements to improve protection, mobility and support integration of the network. These improvements are planned to commence in fiscal year 2014.

*Question.* Warfighter Information Network-Tactical (WIN–T).

Answer. The Warfighter Information Network-Tactical (WIN–T) program provides the Army a secure, high-speed, high-capacity networking backbone for mobile, adhoc networks in tactical environments. WIN–T is vital to Army modernization efforts to develop and field a network in tactical environments. Fielding of the first increment of WIN–T is currently underway, while WIN–T Increment 2 will undergo planned Initial Operation Test and Evaluation this year at the Army's next Network Integration Event.

*Question.* Logistics Modernization Program.

Answer. This program is part of the ongoing effort to modernize the primary business systems of the Army Materiel Command (AMC) Commodity Commands. This system is currently undergoing fielding within the Army and, if confirmed, I will work closely with AMC to ensure it meets Army needs.

*Question.* Joint Tactical Radio System (JTRS).

Answer. The Joint Tactical Radio System (JTRS) is the Army's program for deployable mobile communications family of radios. It uses Internet Protocol (IP)-based technology to provide a networked exchange of voice, data, and video connectivity from the commander down to the soldier and is vital to the Army's efforts to develop the tactical network. Years of Department investment in JTRS development has resulted in a viable, sustainable and competitive market for software defined radios. JTRS have undergone thorough review to refine requirements and in the case of the Ground Mobile Radio, revise acquisition strategies to support competition among existing, secure nondevelopmental solutions.

*Question.* UH–58D Kiowa Warrior safety and life extension program.

Answer. The Army is conducting an analysis of alternatives to confirm whether capability gaps within the existing fleet of UH–58D Kiowa Warrior fleet are best addressed through a Service Life Extension Program (SLEP) or a new aircraft.

GROUND COMBAT VEHICLE

*Question.* What steps would you take, if confirmed, to ensure that the Ground Combat Vehicle (GCV) program is executed affordably, and is delivered on time, and with the required capability?

Answer. If confirmed, I would continue the significant efforts undertaken to date in an effort to develop and execute an affordable and achievable GCV acquisition strategy, as appropriate.

*Question.* What steps would you take, if confirmed, to ensure that this new program comports with the WSARA, particularly the requirements that major defense acquisition programs be supported by realistic cost estimates; reliable risk assessments; and viable acquisition, technology development, and systems engineering strategies at the outset?

Answer. If confirmed, I would ensure that the GCV program, and any major defense acquisition program, fully complies with the statutory requirements of WSARA. As appropriate, I would take necessary steps to ensure that compliance is met in connection with program milestone decisions and other reviews.

*Question.* What steps if any would you take, if confirmed, to ensure that technologies critical to developing the GCV as a system are sufficiently mature prior to the program, receives Milestone B approval, and enters the Engineering and Manufacturing Development phase of the acquisition process?

Answer. If confirmed, I would, as appropriate, fully utilize data derived from the current "three-prong" strategy during the technology development phase of the GCV program—to include designs matured by industry, the update to the GCV Analysis of Alternatives and the assessment of Non-Developmental Vehicles (NDI) to ascertain the state of technological maturity incorporated into designs leading to a Milestone B decision.

*Question.* What steps would you take if confirmed to ensure that overall risk associated with the development of the GCV is sufficiently reduced to allow for the use of fixed price-type contracts?

Answer. If confirmed, I would, as appropriate, continue to work collaboratively with the requirements and resourcing communities to refine requirements to mitigate technological risk and secure stable funding for the program.

STRYKER

*Question.* On January 30, 2012, you notified Congress of your determination that only one source was qualified and capable of performing manufacturing, sustainment, and recapitalization of the Stryker family of vehicles, resulting in the award of a sole-source procurement contract worth an estimated $5.1 billion. The supporting justification documents indicated that no other source had "access to the requisite comprehensive technical data or the complex vehicle engineering tasks associated with the Stryker [family of vehicles]."

Does the Army have full and complete access to technical data pertaining to the Stryker family of vehicles? If not, why not?

Answer. The Army does not have full and complete access to technical data pertaining to the Stryker Family of Vehicles. The original competitive solicitation did not include a requirement for a Technical Data Package (TDP) and subsequent negotiations with the contractor to obtain a TDP have thus far been unsuccessful.

*Question.* If confirmed, to what extent would you consider contracting alternatives that might leverage existing Government-owned depots to provide competition within scenarios such as this?

Answer. If confirmed, I would pursue acquisition strategies that deliver needed capabilities to soldiers at best value to the Government. To the extent that technical data rights owned by the Government facilitate greater competition in the acquisition process, I would pursue such strategies in an effort to meet warfighter requirements.

MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLES

*Question.* If confirmed, what would you propose should be the Army's long term strategy for the utilization and sustainment of its large MRAP vehicle fleet?

Answer. If confirmed, I would collaborate with Army stakeholders to determine the appropriate long-term strategy for utilization and sustainment of the MRAP fleet. This assessment would balance sustainment costs for multiple MRAP variants, the utility of vehicles in training operations and their potential use in future operations.

RESIDUAL FUTURE COMBAT SYSTEMS LEAD SYSTEMS INTEGRATOR (LSI) CONTRACT

*Question.* What is your understanding and assessment of the former and restructured elements of the now terminated FCS program?

Answer. My understanding is that the Future Combat Systems (FCS) Engineering and Manufacturing Development effort has been cancelled. The Army's remaining efforts are related to formal contract and subcontract termination. In my view, prior to termination, the FCS program faced significant challenges stemming from its heavy reliance on immature technologies, unconstrained requirements and attendant cost growth and schedule delay.

As a result of FCS cancellation and restructure, the Army has harvested some relevant technologies and processes, in addition to valuable lessons learned regarding risk management in major acquisition efforts. I understand that this experience has informed revised approaches to the Army's tactical network development, unmanned technology development, manned ground vehicles, radio development and its modernization strategy in general. In addition, FCS cancellation has led to an increased emphasis on systems engineering, affordable and achievable acquisition strategies, and increased use of soldier feedback in weapon system development.

*Question.* What is your understanding and assessment of the FCS program's residual LSI management concept and contract?

Answer. Termination and closeout activities are underway in connection with the FCS contract and that further efforts under this construct have been terminated.

*Question.* In your view, what should be the current and future role of the LSI and, if confirmed, what modifications, if any, would you propose to the LSI contract and fee structure; on what timeline?

Answer. My understanding is that the Army has discontinued use of the LSI construct in connection with the cancellation of the FCS program.

M1 ABRAMS

*Question.* Congress authorized and appropriated funding not included in the President's fiscal year 2012 budget request to continue upgrading M1 tanks to the M1A2 SEP configuration. A recent RAND analysis indicates that a 2014 shutdown and 2017 restart of the sole M1 tank production line would be less costly than continuing production.

What course of action would you recommend for the program, if confirmed?

Answer. The Abrams tank remains the best tank in the world, with a low average fleet age of approximately 2 to 3 years. I understand that there is no current requirement for additional tanks at this time and that the Army plans to commence Abrams modernization efforts in fiscal year 2017. Moreover, the Army's business case analysis determined that the costs to shut down and restart the Abrams production line during this period is approximately $600 million to $800 million, while the costs to continue production of Abrams at minimum sustaining rates was determined to be approximately $2.8 billion. RAND Arroyo has undertaken an independent verification of the Army's business case analysis; preliminary results from RAND Arroyo confirm that the Army's assessment of the costs and benefits of the planned production break are valid. If confirmed, I would continue to assess the final results of this independent analysis, anticipated in late April 2012, along with other considerations—to include the health of the combat vehicle industrial base—in determining a recommended approach to this issue.

ARMY ENTERPRISE EMAIL

*Question.* What is your understanding of the basis for the Army's migration to Defense Information Systems Agency (DISA) Enterprise Email?

Answer. My understanding is that the Army's decision to adopt a DISA-based e-mail solution was based on a business case analysis weighing both quantifiable and nonquantifiable factors to provide improved capability to users across the Army.

*Question.* Do you believe that the projected cost savings for this migration are realistic?

Answer. In my view, Enterprise Email migration offers the potential for significant cost savings across the Army.

*Question.* Under what Army Program Executive Office will Enterprise Email be managed?

Answer. Enterprise Email will be managed under the Program Executive Office Enterprise Information Systems.

*Question.* If confirmed, what steps if any would you take to separately develop and contract for information technology services which may already be available and in-use elsewhere within DOD?

Answer. If confirmed, I would work with all affected stakeholders to determine the most effective, secure and best-value materiel solutions to information technology requirements within the Army.

NETWORK INTEGRATION EXERCISE

*Question.* The Army's attempt to encourage commercial development via the Network Integration Exercise (NIE) represents a new construct for determining what technologies to develop and procure.

Has the Army tied NIE evaluation and/or test results to currently available rapid innovation or equipping programs?

Answer. The Army is developing processes to incorporate the lessons learned from the rapid equipping efforts we have undertaken during 10 years of war. The NIE is a key part of this effort and enables our Capability Set Management approach. Through Capability Set Management (CSM), we evaluate in an operational environment, and design a suite of systems and equipment to answer the projected requirements of a 2-year cycle. Every year, we integrate the next capability set, reflecting any changes or advances in technology. This construct applies lessons learned from existing rapid equipping efforts.

*Question.* What is the Army's defined acquisition process that follows the NIE?

Answer. Following each NIE, the Army examines capabilities evaluated at the NIE, which helps identify capability gaps, inform decisions regarding requirements and help to shape future acquisition efforts. The Army is taking steps to refine the

NIE Sources Sought and Request for Proposal process to provide us with a formal process for procuring systems that show promise coming out of the NIE.

MODULARITY

*Question.* Modularity refers to the Army's fundamental reconfiguration of the force from a division-based to a brigade-based structure. The new modular brigade combat team is supposed to have an increased capability to operate independently based upon increased and embedded combat support capabilities such as military intelligence, reconnaissance, and logistics. Although somewhat smaller in size, the new modular brigades are supposed to be just as or more capable than the divisional brigades they replace because they will have a more capable mix of equipment—such as advanced communications and surveillance equipment. To date, the Army has established over 80 percent of its planned modular units, however, estimates on how long it will take to fully equip this force as required by its design has slipped from 2011 to 2019.

What is your understanding and assessment of the Army's modularity transformation strategy?

Answer. It is my understanding that the Army's modular transformation was designed to create a more expeditionary force capable of addressing the full-spectrum of missions in 21st century operations. In support of this transformation, the Army has implemented strategies for the distribution of equipment to modular units in order to provide increased readiness over time. My understanding is that transition to this approach is still underway and will continue to assess evolving force structure levels. If confirmed, I look forward to working with Army leadership to make a full assessment of this strategy.

*Question.* In your view, what are the greatest equipment and sustainment challenges in realizing the transformation of the Army to the modular design?

Answer. Our greatest challenge, I believe, is maintaining a balance between sustaining equipment for the current fight in this fiscal environment, while selectively and incrementally modernizing systems to provide future capabilities.

*Question.* If confirmed, what actions or changes, if any, would you propose relative to the Army's modular transformation strategy and plans for equipping and sustaining the force?

Answer. The Army is currently assessing its modular transformation strategy and plans for equipping and sustaining the force, in light of new defense strategic guidance and budget changes. If confirmed, I would closely examine the transformation strategy to ensure a focus on resources that sustain the current fight, while making critical investments to Army modernization.

MANUFACTURING ISSUES

*Question.* The recent Defense Science Board (DSB) study on the Manufacturing Technology Program made a number of findings and recommendations related to the role of manufacturing research and capabilities in the development and acquisition of defense systems.

Have you reviewed the findings of the DSB Task Force on the Manufacturing Technology Program?

Answer. I have not reviewed the specific findings, but I am generally familiar with the recommendations regarding the need to invest in manufacturing technology (ManTech) as a means to reduce risk in acquisition programs.

*Question.* What recommendations, if any, from the Task Force would you plan to implement if confirmed?

Answer. If confirmed, I would carefully assess the findings and recommendations of the DSB Task Force and work closely with the Office of Secretary of Defense to implement measures as appropriate.

*Question.* What incentives do you plan to use to enhance industry's incorporation and utilization of advanced manufacturing processes developed under the manufacturing technology program?

Answer. If confirmed, I would work to identify and implement such incentives as deemed necessary in cases where advanced manufacturing processes are not developed through competition.

SCIENCE AND TECHNOLOGY

*Question.* What, in your view, is the role and value of science and technology programs in meeting the Army's transformation goals and in confronting irregular, catastrophic, traditional and disruptive threats?

Answer. In my view, the Army's Science and Technology (S&T) investment programs should function as the "seed corn" of future capabilities; facilitating the matu-

ration of new technologies while investing in true leap-ahead capabilities. It is my view that the Army's S&T investment should be informed by evolving threats, the state of foreign technologies, industry research and development, and Army-specific capability needs.

*Question.* If confirmed, what direction will you provide regarding funding targets and priorities for the Army's long term research efforts?

Answer. I believe that it is important to maintain a balanced and responsive science and technology portfolio that complements Department-wide and joint efforts and investment within the defense industry. If confirmed, I would advance a strategy consistent with the parameters outlined above.

*Question.* What specific metrics would you use, if confirmed, to assess whether the Army is making adequate investments in its basic research programs?

Answer. If confirmed, I would assess Army investments in basic research across portfolios to develop leap-ahead capabilities. I would promote the development of metrics to assess future transformational opportunities and measure progress.

*Question.* Do you feel that there is sufficient coordination between and among the science and technology programs of the military services and defense agencies such as DARPA?

Answer. I believe that there is good coordination between DARPA, other defense agencies and the Army. If confirmed, I would expand that level of collaboration as appropriate.

*Question.* What is the Department's role and responsibility in addressing national issues related to science, technology, engineering, and mathematics education and workforce development?

Answer. I believe the Army, which is significantly dependent on science and technology to fulfill its national defense mission, has effective policies and programs in place to help maintain the technical edge our Nation needs to ensure its security and to be globally competitive. It's important to recognize that the Army not only needs to attain and retain the talent today, but also needs to develop a talented future workforce to maintain the technical edge. If confirmed, I plan to continue and strengthen, where necessary, Army educational outreach programs and initiatives.

*Question.* What steps if any would you take to support efforts to ensure that the Nation has the scientific and technical workforce needed for its national security technological and industrial base?

Answer. If confirmed, I would utilize current legislative authorities and Army investment vehicles to cultivate a talented and high-quality pool of scientists, mathematicians, engineers, and technicians.

*Question.* How would you use science and technology programs to better reduce technical risk and therefore potentially reduce costs and schedule problems that accrue in large acquisition programs?

Answer. Science and technology programs offer the potential to reduce risk in acquisition programs by maturation of incorporated technologies. If confirmed, I would examine ways to better utilize S&T programs to mature technologies and reduce risk in Army acquisition programs.

*Question.* Do you feel that the science and technology programs of the Army are too near-term in focus and have over-emphasized technology transition efforts over investing in revolutionary and innovative research programs?

Answer. I believe that Army investment decisions in science and technology must balance the Army's needed capabilities from mid-term to long-term across a broad portfolio. This implies a need that spans across revolutionary and innovative research to mature technologies.

*Question.* Are you satisfied that the Army has a well articulated and actionable science and technology strategic plan?

Answer. I believe that the Army has made significant strides in articulating and implementing an S&T strategic plan based on critical challenges faced in the Army. If confirmed, I would extend these efforts to continue to improve the Army's S&T strategic plan.

*Question.* Do you see a need for changes in areas such as hiring authority, personnel systems, financial disclosure and ethics requirements, to ensure that the Army can recruit and retain the highest quality scientific and technical workforce possible?

Answer. I believe that the need to attract, recruit and retain the highest quality workforce remains an enduring challenge in any organization; include the Army. At this point, I do not recommend specific changes in any of these areas. If confirmed, however, I would welcome the opportunity to fully assess the impact of these processes and recommend changes as appropriate.

*Question.* What is your view of the effectiveness of the Military Accessions Vital to National Interest Program to recruit non-U.S. citizens who graduate from U.S.

universities with advanced degrees in scientific and technical fields of critical national importance?

Answer. I understand that the Military Accessions Vital to National Interest Program is designed to facilitate the availability of scientific and technical expertise in each of the Military Services. If confirmed, I look forward to the opportunity to evaluate the effectiveness of this program in collaboration with other Services and the Office of Secretary of Defense to enhance technical and scientific skills in the Army.

*Question.* What steps if any would you take if confirmed to ensure the continued effectiveness of this program?

Answer. If confirmed, I would work with other Services and the Office of the Secretary of Defense to ascertain the effectiveness of this program before taking any appropriate measures in this area.

DEFENSE LABORATORIES

*Question.* What is your view on the quality of the Army laboratories as compared to the DOE national laboratories, Federal laboratories, academic laboratories, and other peer institutions?

Answer. If confirmed, I will undertake a review of Army laboratory capability with a view toward enhancing their capability.

*Question.* What metrics will you use, if confirmed, to evaluate the effectiveness, competitiveness, and scientific vitality of the Army laboratories?

Answer. If confirmed, I will work to identify and develop appropriate metrics to evaluate laboratory effectiveness. It is my understanding that the Army currently conducts peer reviews annually to assess the vitality of the laboratories.

*Question.* What steps if any will you take, if confirmed, to increase the mission effectiveness and productivity of the Army laboratories?

Answer. If confirmed, I will work with relevant Army organizations to assess and improve mission effectiveness in those areas in need of improvement.

*Question.* Do you see value in enhancing the level of technical collaboration between the Army laboratories and academic, other Federal and industrial scientific organizations?

Answer. I definitely do. If confirmed, I would encourage increased collaboration by Army laboratories with other research institutions. In my view, this form of collaboration is essential to refining the Army's focus in S&T investment and complementing efforts by other leading institutions.

*Question.* What steps if any will you take, if confirmed, to enhance such technical collaboration?

Answer. See response above.

*Question.* Do you feel that past investments in research equipment; sustainment, repair and modernization; and facility construction at the Army laboratories have been sufficient to maintain their mission effectiveness and their standing as world class science and engineering institutions?

Answer. I believe that maintaining appropriate investments in this area is critical to the development of future capabilities for soldiers and would work with the Army laboratories to identify and address areas of need, if confirmed.

*Question.* What is your view of the funding mechanism for the research and development priorities of defense laboratory directors provided by section 219 of the National Defense Authorization Act for Fiscal Year 2009?

Answer. I support the funding mechanisms authorized under section 219 of the legislation.

*Question.* What continuing impediments, if any, do you see to the full implementation of this provision?

Answer. I support the funding mechanisms authorized under section 219 of the legislation. In my view, Congress has provided Laboratory Directors the needed authority to use funding for important discretionary efforts.

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 Army's acquisition programs?

Answer. I believe it is appropriate to have an independent operational test and evaluation authority separate from the materiel developer to plan and conduct operational tests, report results, and provide evaluations on operational effectiveness, operational suitability, and survivability.

*Question.* Are you concerned with the level of test and evaluation conducted by the contractors who are developing the systems to be tested?

Answer. Contractors are responsible to ensure that their system meets developmental test and evaluation criteria. The Army should provide oversight. The Army must work with the contractor to ensure it understands the Government's OT&E plans and ensure that its system is able to meet all the criteria.

*Question.* What is the impact of rapid fielding requirements on the standard testing process?

Answer. If confirmed, how will you work to ensure that all equipment and technology that is deployed to warfighters is subject to appropriate operational testing?

I understand that rapid fielding requirements call for revised testing procedures that meet warfighter needs while ensuring that proper testing and evaluation concerns are addressed. If confirmed, I would work with the testing community to ensure that rapid acquisition efforts are responsive to warfighter requirements and that appropriate testing requirements are met.

*Question.* Do you believe that the developmental testing organizations in the Army are adequate to ensure an appropriate level of developmental testing, and testing oversight, on major defense acquisition programs?

Answer. I believe that there are adequate resources in the Army to ensure appropriate level of testing and testing oversight on major acquisition defense programs. If confirmed, I will work closely with the developmental testing community to emphasize early developmental testing within acquisition programs to minimize program risks.

*Question.* If not, what steps would you take, if confirmed, to address any inadequacies in such organizations?

Answer. If confirmed, I will continue to monitor the status of these organizations to ensure that they remain capable of accomplishing their mission.

*Question.* As systems grow more sophisticated, networked, and software-intensive, DOD's ability to test and evaluate them becomes more difficult. Some systems-of-systems cannot be tested as a whole until they are already bought and fielded.

Are you concerned with Army's ability to test these new types of systems?

Answer. I agree that system interoperability presents increased challenges as Army equipment becomes more sophisticated, networked and software intensive. In my view, the Army has taken a pioneering approach to identifying and addressing these challenges through the development of the NIE at Fort Bliss, TX. These events provide soldiers an opportunity to evaluate and use multiple systems in an operational setting, which affords the Army a valuable opportunity to address complex systems-of-systems challenges prior to procurement and fielding. If confirmed, I would support the ongoing use of NIE events to provide critical feedback in this area throughout the acquisition cycle.

*Question.* What steps, if any, do you believe the Army should take to improve its test and evaluation facilities to ensure adequate testing of such systems?

Answer. If confirmed, I will provide support to the Army test and evaluation community and support efforts to ensure that they are properly resourced.

*Question.* In your view, does the Army have sufficient capabilities to test and evaluate the cybersecurity of its new information technology systems and networks?

Answer. The capability and methodology is in place to address current and anticipated cybersecurity threats. Existing processes include robust enforcement of the information assurance requirements under DOD Directive 8500.1 and Army Regulation 25–2. These requirements serve as screening criteria for new systems, with input from the Army Cyber Command, Army Test and Evaluation Command, Army Research Lab, Army Threat Systems Management Office and the office of the ASA(ALT).

*Question.* What steps if any would you propose to take, if confirmed, to enhance this capability?

Answer. If confirmed, I will work with the Army and Department's cybersecurity community to evaluate our existing processes and assess emerging threats to enhance our capabilities, as appropriate. In my view, these approaches could include enhanced use of automation and simulation to augment our testing processes.

*Question.* Some have argued that testing takes too long and costs too much. Others contest this view pointing out that testing and evaluation is an essential tool to assist in the development of weapon systems and ensure that they perform as intended. The Armed Services Committee has expressed concern that problems with weapons systems have been discovered during operational testing and evaluation that should have been discovered during developmental testing and corrected during subsequent development.

Do you believe that major defense acquisition programs are helped or hurt by cutting tests budgets and reducing the time available for developmental testing?

Answer. I believe that an independent testing function is a vital part of the defense acquisition process and agree that it serves as an essential tool in discovering and addressing issues in system development. In particular, developmental testing early in the acquisition life cycle will discover design and production issues early on when it is the least costly to take corrective action. Test budget reductions may result in discovery of design or production issues much later in the program, during operational test and evaluation, when it's more expensive to modify a system design.

*Question.* What steps if any will you take, if confirmed, to ensure that the program management community and the testing and evaluation community work collaboratively and effectively in a way that maximizes the likelihood that developmental testing and evaluation will detect and identify problems timely in software and hardware to provide opportunities to correct them before production and before operational testing and evaluation begins?

Answer. If confirmed, I will emphasize the importance of close collaboration between the program management community and the test and evaluation community to enable early discovery of design and production issues.

*Question.* To what extent do you think that dedicated operational testing can be more efficiently integrated into developmental and live-fire testing in a way that is also sufficiently rigorous?

Answer. I believe that the NIE suggests a valuable model for integrating early operational testing in Army acquisition programs in novel ways. If confirmed, I would assess the potential of efforts to integrate early operational testing within developmental testing to achieve efficiencies.

*Question.* The Decker-Wagner report cited unconstrained requirements, weak trade studies and an erosion of the relevant workforce as causes of many of the Army's failed acquisition programs.

To what extent do you believe that the Army can improve how it states requirements supporting its acquisition programs by using establishing more measurable and testable parameters, or by justifying such requirements on the basis of accomplishing missions in combat—rather than merely meeting technical specifications?

Answer. If confirmed, I would work with the requirements community to address unconstrained requirements with cost-informed review of potential trade space. It is critical to understand the trades between mission effectiveness and technical risk while meeting program objectives and maintain affordability.

ARMY INDUSTRIAL BASE

*Question.* What is your assessment of the health and status of the key elements of the Army's industrial base?

Answer. I am concerned about the impacts of planned reductions in Army budgets on the health of the industrial base. While major defense contractors have faced downturns before and will likely explore diversification in commercial activity or foreign military sales, risks to the viability of second and third tier suppliers impacted by the drawdown may present more challenges to the Army as it conducts future modernization efforts.

*Question.* In your view, is DOD's sector-by-sector, tier-by-tier (S2T2) activity providing useful information to assist the Army in maintaining and improving key elements of its industrial base?

Answer. The assessment currently underway across the Department is a critical step toward the identification and prioritization of potential industrial base issues.

SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM

*Question.* What do you see as the major successes and challenges facing the Army SBIR program?

Answer. The SBIR program is designed to provide small, high-tech businesses the opportunity to propose innovative research and development solutions in response to critical Army needs. In fiscal year 2011, small businesses submitted over 3,000 proposals, which were evaluated by the Army SBIR office and resulted in over 600 awards valued at approximately $200 million.

In my view, the Army SBIR program performs a valuable role in developing innovative capabilities through small business investment. I understand that the Army continues to explore ways to streamline the SBIR process, further increase program success rates and ultimately facilitate the transition of products that are developed under Army SBIR contracts.

*Question.* What steps would you take if confirmed to ensure that the Army has access to and invests in the most innovative small businesses?

Answer. If confirmed, I would ensure that small businesses funded with SBIR dollars have stronger ties to the Army's S&T program and to emerging acquisition program needs.

*Question.* What steps would you take if confirmed to ensure that successful SBIR research and development projects transition into production?

Answer. If confirmed, I would conduct regular SBIR program reviews to monitor ongoing projects. I would also work to refine the criteria for transition of SBIR funded programs to programs of record, as appropriate. Also, I would work to ensure that existing Army programs of record have resources and acquisition strategies in place to incorporate technologies developed under SBIR.

TECHNICAL DATA

*Question.* Do you believe that the Army has been as aggressive as it should have been in (1) securing ownership of technical data in connection with items and processes associated with major weapon systems that it procures when doing would best serve the Government's interests and (2) asserting ownership rights over this data in a manner sufficient to ensure competition for the production and maintenance of these systems over their lifecycle?

Answer. The Army has recently reviewed policies governing efforts to acquire ownership of technical data and has implemented guidance encouraging such ownership when it represents a best-value approach in the development of systems.

*Question.* What steps if any will you take if confirmed to ensure that the Army obtains the technical data rights that it needs to avoid being locked into unnecessary sole-source follow-on production and sustainment to incumbents to the detriment of the taxpayer and the warfighter?

Answer. If confirmed, I would affirm current efforts to encourage the purchase of technical data rights where appropriate.

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 ASA(ALT)?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

NEW ARMY MAJOR WEAPONS PROCUREMENT

1. Senator MCCAIN. Ms. Shyu, the Army has two prominent programs currently in the early stages of development: the Joint Light Tactical Vehicle (JLTV) and the Ground Combat Vehicle (GCV). Each has had its requirements substantially reduced to help ensure affordability. I am concerned that as these programs move forward in development, their requirements may change again, resulting—predictably—in major cost overruns. What confidence do you have that the requirements for JLTV and GCV are now stable?

Ms. SHYU. Requirements stability is essential to our ability to plan and execute designs and produce vehicle capabilities within schedule and budget constraints. The addition of capabilities to planned weapon systems, even as development is ongoing, generally exacerbates risks associated with the program's cost and schedule.

Many of the policies and practices that have been put into place over the past 2 years are specifically designed to address cost and schedule growth in major acquisition programs resulting from requirements instability. The institution of Configuration Steering Boards, for instance, currently required on an annual basis, guard against requirements creep through the review and evaluation of the program requirements to control cost. In addition, the Army has taken proactive steps to address requirements in both the JLTV and GCV programs, both to reduce technical risk and meet affordability goals. These efforts are ongoing, as we endeavor to continuously refine requirements to keep these risks as low as possible.

Within the JLTV program, the Army executed a comprehensive Technology Development (TD) phase that facilitated greater understanding of the feasibility of planned JLTV requirements, which led to key adjustments. The requirements communities from both the U.S. Army and U.S. Marine Corps conducted extensive cost informed requirement trades that brought the program's cost down and reduced technical risk.

Similarly, the Army worked to substantially revise requirements for the GCV program in 2010 in order to support an affordable program with minimized technical risk, consistent with the planned schedule for development. As the Army conducts the current technology development phase of GCV development, further opportunities to refine requirements to avert excessive cost and technical risk will be assessed.

2. Senator MCCAIN. Ms. Shyu, will you allow production decisions to be made prior to the prototyping and testing of these vehicles and/or their subsystems?

Ms. SHYU. Production decisions will not be made prior to the prototyping and testing of these vehicles. The JLTV program has a 33-month comprehensive Engineering, Manufacturing, and Development (EMD) program in which three contractors will fabricate 22 vehicles each and the Government will conduct mobility, reliability, transportability and blast testing to demonstrate performance. Results from the comprehensive test program will be used during the down select for production process. The GCV is currently in the TD phase and anticipate a 4-year EMD period to refine designs and build and test prototypes, well before any production decision is reached.

3. Senator MCCAIN. Ms. Shyu, what confidence do you have in the Army's ability to effectively assess the technological risks associated with the maturity of weapons systems and GCV, in particular?

Ms. SHYU. The Army's has the ability to effectively assess the technological risks associated with the maturity of weapons systems. To reduce the risk associated with entering the EMD phase, Department of Defense Instruction 5000.02 requires Requests for Proposals (RFPs) to incorporate language that prevents the award of an EMD contract if it includes technologies that have not been demonstrated adequately in a relevant environment, called Technology Readiness Level 6. Also, the Government, independent from the Product Manager, conducts a Technology Readiness Assessment on all the competitors' proposals in the EMD source selection.

In the GCV program, the Army has specifically developed an acquisition strategy designed to make effective use of these assessments. Specifically, the GCV program incorporates a comprehensive evaluation plan throughout the TD phase to assess risk, specifically in connection with key technologies, to support any adjustments to the program's planned EMD effort, if necessary. To further reduce technological risk, planned prototypes call for existing, Government-proven technologies in subsystems, such as transmissions. Additionally, the two GCV vendors under contract have already made initial design trades in support of Army direction requiring technologically mature systems prior to the start of EMD.

The Army will test and evaluate the subsystem in connection with completion of the Preliminary Design Review. This information will be coupled with data obtained from the other two TD phase activities (Analysis of Alternatives (AOA) update and Nondevelopmental Item evaluation), in order to assess the program's technological risks and inform the EMD Request for Proposal performance specifications.

EXCESSIVE CONCURRENCY

4. Senator MCCAIN. Ms. Shyu, a big problem with how DOD buys major systems is this: it has tended to go all in on these procurement programs without understanding enough about their technical or systems engineering to assess whether developing them may have too much risk. So, these programs struggle endlessly in development—where costs grow and schedules slip—without needed combat capability delivered. Far too often, DOD has tried to execute such programs under cost-plus

contracts. In my view, this has been an utter disaster. Do you agree? If so, how would you address it?

Ms. SHYU. Cost growth and related challenges to program execution can be traced to a myriad of factors in major defense acquisition programs. I generally believe that past major Army modernization programs failed as a result of system requirements instability, combined with a reliance on immature technologies, which significantly contributed to a high degree of risk and associated cost growth. I believe the key to addressing our challenge is based on early and continuous collaboration between the communities responsible for requirements generation, budget and programming, and acquisition program management to ensure the delivery of affordable, timely and effective equipment to the Army. If confirmed, I would place an emphasis on acquisition strategies that anticipate and mitigate the causes for such risk in major defense acquisition programs. The strategies I would promote include an emphasis on competition, implementation of fixed-price contracts where appropriate, affordability caps in large-scale acquisition programs, and cost reduction through "should cost" program management.

In addition, I would ensure that materiel development is continuously informed by considerations of cost and technical risk throughout the acquisition lifecycle. Specifically, I would emphasize the development and use of cost-informed trade-offs in requirements, through Configuration Steering Boards, to reduce technical risk and address causes of cost growth. I further believe that the emphasis on cost-informed trade-offs ought to commence at the earliest stages of the materiel development cycle—in requirements generation—before expensive design and development begins in earnest. If confirmed, I would prioritize collaboration with the warfighter to address these leading causes of program failure during this critical phase, where the foundations of large scale modernization programs are set.

5. Senator MCCAIN. Ms. Shyu, if confirmed, what overall approach would you take to ensure that programs with too much concurrency are never started?

Ms. SHYU. In my view, a high degree of concurrency contributes significant risk to weapon systems programs, particularly if the concurrency is attributable to evolving requirements in the late phases of development. The acceptable degree of concurrency depends on several factors, to include the urgency of the operational need for the capability, the technical risks inherent in the program's development and consideration of the potential impact on the planned program cost and schedule. If confirmed, I would weigh these and other related factors in determining whether to commence a program with a high degree of concurrency.

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## QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

### ARMY ARMED AERIAL SCOUT REQUIREMENTS

6. Senator WICKER. Ms. Shyu, Congress funded an AOA to establish an armed scout replacement program as far back as 2009. The fiscal year 2012 budget included $15 million to conduct an additional Request for Information (RFI) and Voluntary Flight Demonstration (VFD) this year. Little guidance is being shared about the Army Armed Aerial Scout (AAS) requirements and how the RFI and demonstrations will be conducted. What are the Initial Capabilities Document (ICD) requirements for the AAS program and have you communicated those requirements to industry?

Ms. SHYU. The July 2009 ICD does not prescribe specific threshold and objective requirements for a material solution, rather, it describes the capability gaps that exist in the mission area. Although the ICD has not been released to industry, the planned RFI describes the capability shortfalls that currently exist in terms of responsiveness, performance margins, and lethality. Additionally, the planned RFI contains a detailed description of the AAS mission sets.

7. Senator WICKER. Ms. Shyu, were they the same requirements used in the original AOA?

Ms. SHYU. The AOA was focused on the same capability gaps addressed in the current ICD. The July 2009 ICD does not prescribe specific threshold and objective requirements for a material solution, rather it describes the capability gaps that exist in the mission area.

8. Senator WICKER. Ms. Shyu, will the ICD requirements be used as the baseline for the planned AAS RFI and VFD and your materiel solution?

Ms. SHYU. Yes. The AAS RFI and VFD seek to address the same capability gaps in the current ICD. The capability gaps addressed in the current ICD are the same capability gaps that were used in the conduct of the Armed Aerial Scout AOA. In addition, these same capability gaps will be used in the market research analysis associated with the release of the RFI and VFD.

FLIGHT DEMONSTRATION

9. Senator WICKER. Ms. Shyu, upgrades requested to keep to the OH–58D Kiowa Warrior helicopter operating safely have become more complex and costly. It is important that a final determination is made for addressing the Army's validated AAS requirement to assure valuable time and resources are invested on a platform that will best meet the Army's requirements. Congress anticipates that the upcoming RFI and VFD will be conducted with the utmost rigor, objectivity, and fairness in order to reach a credible and conclusive AAS acquisition strategy. For the VFDs, how will you ensure the process is fair and transparent?

Ms. SHYU. The Army will ensure that market research is conducted thoroughly and fairly consistent with prescribed guidance in the Federal Acquisition Regulations (FAR). The VFD maneuvers will be executed in accordance with standard test techniques and normalized to standard atmospheric conditions. Once the VFD is complete, industry participants will have the opportunity to update their RFI response.

10. Senator WICKER. Ms. Shyu, how do you plan to establish standardized flight conditions?

Ms. SHYU. The Army will use Experimental Test Pilots that are graduates of the Naval Test Pilot School. The pilots will execute maneuvers that are voluntarily agreeable to the industry participant, as outlined in the RFI. Moreover, these maneuvers will be conducted in accordance with standard test techniques and normalized to standard atmospheric conditions.

11. Senator WICKER. Ms. Shyu, what method or trade basis will be used to drive your materiel solution decision in regard to weapons systems cost, schedule, and performance considerations?

Ms. SHYU. Results of the RFI and VFD will be assessed against the known weighted capability gaps defined in the initial capabilities document and validated by the AAS AOA. The methodology for determining cost, schedule, and performance trades will be similar to the methodology used in the AAS AOA.

KIOWA WARRIOR SERVICE LIFE EXTENSION PROGRAM

12. Senator WICKER. Ms. Shyu, the Army states that the Kiowa Warrior Service Life Extension Program (SLEP) is the basis for comparison in the AAS evaluation. I am not aware that a SLEP has been established or approved and there is no SLEP in the fiscal year 2013 budget request. Have you conducted, or do you intend to conduct, the required Service Life Assessment Program (SLAP) to validate your Kiowa Warrior SLEP assumptions?

Ms. SHYU. Kiowa Warrior SLEP is referenced as 'RECAP' in the budget exhibits. The Kiowa Warrior fiscal year 2013 budget request contains funding to execute the SLEP, or 'RECAP', requirement if the Army decides against a new materiel solution for AAS.

The Kiowa Warrior SLAP is designed to investigate and analyze various approaches to enhance airframe Reliability and Maintainability, as well as identify safety improvements to the fuselage structures. The SLAP program is currently ongoing and will identify the specific structures requiring improvement; these changes would be implemented via a SLEP effort.

13. Senator WICKER. Ms. Shyu, what are the cost, technical, and schedule risk findings of the SLEP?

Ms. SHYU. The cost, technical, and schedule risks of a SLEP program are low. The Army has extensive reliability and cost data on the 40+ year-old OH–58 airframes, a trained and capable workforce performing depot-level maintenance via the Crash Battle Damage & Overhaul programs, and new cabin production lines in the Wartime Replacement Aircraft (WRA) program. Together these programs lower the risk involved in executing a SLEP initiative.

Any SLEP program would include replacing the aircraft structures, which could occur on an already established production line such as WRA. The OH–58F Cockpit

and Sensor Upgrade Program (CASUP) begins production on that line in 2015, providing a good entry point for new metal production that could align with the current CASUP production schedule.

14. Senator WICKER. Ms. Shyu, based on the findings of the SLAP, is the Kiowa Warrior program in the fiscal year 2013 President's budget considered to be low risk for execution? If so, by what measures?

Ms. SHYU. The initial findings of the SLAP study will be available in late summer 2012. Execution of fiscal year 2013 program funds for the Kiowa Warrior program is not dependent on SLAP results and the outcome of this analysis is not anticipated to present any risk or otherwise affect the fiscal year 2013 budget or Kiowa Warrior program execution. Based on the fact that the Critical Design Review was successfully completed ahead of schedule in April 2012, the first two Engineering and Manufacturing Development Demonstrator prototype aircraft are being modified and the critical component programs are executing well. Accordingly, the Kiowa Warrior program is at low risk for execution in fiscal year 2013.

MATERIEL SOLUTION DETERMINATION

15. Senator WICKER. Ms. Shyu, if performance is validated during the flight demonstration, will the Army use the validated performance data for the comparative analysis, or will the Army make unilateral adjustments and assumptions?

Ms. SHYU. The Army will conduct market research to determine what technology is available that may be able to contribute to a material solution option that delivers greater capability than the Kiowa Warrior. The Army does not intend to compare individual results but rather assess their capability against the weighted capability gaps from the Armed Aerial Scout AOA.

16. Senator WICKER. Ms. Shyu, if performance capability is not validated by a flight demonstration, how will the claims be treated during the evaluation?

Ms. SHYU. The Army realizes that industry RFI performance projections could exceed what is physically demonstrated. In those instances, or those instances where industry elects not to participate in the voluntary flight demonstration, the Army will assess the risk of achieving the RFI performance projection. This assessment will be based on associated technical readiness levels and technology roadmap.

17. Senator WICKER. Ms. Shyu, if performance is validated during the flight demonstration, how will the claims be treated in conducting the cost/benefit analysis to make your materiel solution decision?

Ms. SHYU. Validated performance data serves to mitigate risk associated with achievement of performance projections identified through the RFI. The Army will conduct a risk assessment on all responses, whether they are validated by performance data or strictly claimed. The goal is to identify an affordable, achievable, moderate risk material solution option based on the current state of technology in the market.

18. Senator WICKER. Ms. Shyu, what is your methodology to conduct your comparison?

Ms. SHYU. The Army will not compare individual industry responses against each other. Based on open source documentation, industry appears to have further developed technology, initially described 2 years ago in their RFI responses, that represents a considerable increase in capability gap mitigation. However, the Army currently has no insight into these potential improvements. Individual responses to the RFI and the demonstrated capabilities will be analyzed to assess the performance, cost and schedule attributes needed to procure an improved capability. The methodology used to determine the capability tradeoffs will be consistent with the methodology used during the AAS AOA and validated by the AAS AOA Senior Advisory Group.

19. Senator WICKER. Ms. Shyu, how will the Army determine if the AAS materiel solution is deemed unaffordable and is terminated?

Ms. SHYU. The AAS program has not advanced beyond the material alternatives analysis phase and is not currently a program of record subject to termination. Ongoing analysis, subsequent to the formal AOA, is further examining cost and performance estimates associated with a new materiel solution. The Army will make an affordability decision in conjunction with the capabilities determination decision at the end of the current market research effort.

QUESTIONS SUBMITTED BY SENATOR KELLY AYOTTE

ARMY ACQUISITION FAILURES

20. Senator AYOTTE. Ms. Shyu, since 2004 and including the Future Combat System program, the Army has lost about $3.3 to $3.8 billion (or 35 to 42 percent) per year of funding for testing and evaluation for programs that were ultimately canceled. If you are confirmed, how would you address this history of Army acquisition failures?

Ms. SHYU. Cost growth and related challenges to program execution can be traced to a myriad of factors in major defense acquisition programs. I generally believe that past major Army modernization programs failed as a result of system requirements instability, combined with a reliance on immature technologies, which significantly contributed to a high degree of risk and associated cost growth. I believe the key to addressing our challenge is based on early and continuous collaboration between the communities responsible for requirements generation, budget and programming, and acquisition program management to ensure the delivery of affordable, timely and effective equipment to the Army. If confirmed, I would place an emphasis on acquisition strategies that anticipate and mitigate the causes for such risk in major defense acquisition programs. The strategies I would promote include an emphasis on competition, implementation of fixed-price contracts where appropriate, affordability caps in large-scale acquisition programs, and cost reduction through "should cost" program management.

In addition, I would ensure that materiel development is continuously informed by considerations of cost and technical risk throughout the acquisition lifecycle. Specifically, I would emphasize the development and use of cost-informed trade-offs in requirements, through Configuration Steering Boards, to reduce technical risk and address causes of cost growth. I further believe that the emphasis on cost-informed trade-offs ought to commence at the earliest stages of the materiel development cycle—in requirements generation—before expensive design and development begins in earnest. If confirmed, I would prioritize collaboration across the Army to address these leading causes of program failure during this critical phase, where the foundations of large scale modernization programs are set.

21. Senator AYOTTE. Ms. Shyu, how will you address the problems of requirements-creep?

Ms. SHYU. I think greater collaboration between the program management, requirements and resourcing communities is essential to the development of realistic and realizable programs based on stable requirements. This collaboration must strive to identify cost-informed trade-offs in system design requirements throughout the program cycle, in large part to ensure that the program remains affordable and prevents requirements creep. If confirmed, I would use Configuration Steering Boards to implement the trades necessary to ensure sound execution of acquisition programs. Furthermore, I would complement these efforts by instituting supporting acquisition strategies to address related cost growth, to include strategies emphasizing competition, implementation of fixed-price contracts where appropriate, affordability caps in large-scale acquisition programs, and cost reduction through "should cost" program management.

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[The nomination reference of Ms. Heidi Shyu follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*February 6, 2012.*

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

Heidi Shyu, of California, to be an Assistant Secretary of the Army, vice Malcolm Ross O'Neill, resigned.

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[The biographical sketch of Ms. Heidi Shyu, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF HEIDI SHYU

Heidi Shyu, a member of the Senior Executive Service, was named the Acting Assistant Secretary of the Army for Acquisition, Logistics, and Technology (ASA(ALT)) on June 4, 2011. She also continues to serve as the Principal Deputy, a position to which she was appointed on November 8, 2010.

As the Acting ASA(ALT), Ms. Shyu serves as the Army Acquisition Executive, the Senior Procurement Executive, the Science Advisor to the Secretary of the Army, and the Army's Senior Research and Development official. She also has principal responsibility for all Department of the Army matters related to logistics.

Ms. Shyu leads the execution of the Army's acquisition function and the acquisition management system. Her responsibilities include providing oversight for the life cycle management and sustainment of Army weapons systems and equipment from research and development through test and evaluation, acquisition, logistics, fielding, and disposition. Ms. Shyu also oversees the Elimination of Chemical Weapons Program. In addition, she is responsible for appointing, managing, and evaluating program executive officers and managing the Army Acquisition Corps and the Army Acquisition Workforce.

Prior to this position, Ms. Shyu was the Vice President of Technology Strategy for Raytheon Company's Space and Airborne Systems. She also held several senior leadership positions there, including Corporate Vice President of Technology and Research, Vice President and Technical Director of Space and Airborne Systems, Vice President of Unmanned and Reconnaissance Systems, Senior Director of Unmanned Combat Vehicles, Senior Director of Joint Strike Fighter (JSF), and Director of JSF Integrated Radar/Electronic Warfare Sensors. As Director of JSF Antenna Technologies at Raytheon, Ms. Shyu was responsible for the development of lightweight, low-cost, Tile Active Electronically Scanned Antenna technologies. She also served as the Laboratory Manager for Electromagnetic Systems.

In addition to her extensive experience at Raytheon, Ms. Shyu served as a Project Manager at Litton Industries and was the Principal Engineer for the Joint STARS Self Defense Study at Grumman. She began her career at the Hughes Aircraft Company.

Ms. Shyu holds a Bachelor of Science Degree in Mathematics from the University of New Brunswick in Canada, a Master of Science Degree in Mathematics from the University of Toronto, Master of Science Degree in System Science (Electrical Engineering) from the University of California, Los Angeles (UCLA), and the Engineer Degree from UCLA. She is also a graduate of the UCLA Executive Management Course and the University of Chicago Business Leadership Program.

A member of the Air Force Scientific Advisory Board from 2000 to 2010, Ms. Shyu served as the Vice Chairman from 2003 to 2005 and as Chairman from 2005 to 2008.

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Ms. Heidi Shyu in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Heidi Shyu (Heidi McIntosh, Hedy McIntosh, Shyu Ruo Bing).

2. **Position to which nominated:**
Assistant Secretary of the Army (Acquisition, Logistics, and Technology).

3. **Date of nomination:**
February 6, 2012.

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; Taipei, Taiwan.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Single (Divorced).

7. **Names and ages of children:**
None.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Fredericton High School, Fredericton, New Brunswick, Canada, 1971–1972, High School diploma
University of New Brunswick, Fredericton, New Brunswick, Canada, 1972–1976, B.S., Math, 1976
University of Toronto, Toronto, Ontario, Canada, 1976–1977, M.S., Math, 1977
University of California Los Angeles, 1978–1981, M.S. in Systems Science 1981 (Systems Science subsequently was merged into Electrical Engineering Dept)
University of California Los Angeles, 1981–1982, Engineer Degree, 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.
Acting Assistant Secretary of the Army (Acquisition, Logistics, and Technology), U.S. Army, 103 Army Pentagon, Rm 2E520, Washington, DC, 6/3/11–present
Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics, and Technology), U.S. Army, 103 Army Pentagon, Rm 2E520, Washington, DC, 11/8/10–Present
Vice President of Technology Strategy, Raytheon Space and Airborne Systems, El Segundo, CA, 10/15/10–06/2009
Corporate Vice President of Technology and Research, Raytheon Company, Waltham, MA, 06/2009–01/2007
Vice President and Technical Director, Raytheon Space and Airborne Systems, El Segundo, CA, 01/2007–01/2004
Vice President of Unmanned and Reconnaissance Systems, Raytheon Space and Airbome Systems, El Segundo, CA, 12/2003–10/2002

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.

2008–2010 Member, Air Force Scientific Advisory Board
2005–2008 Chair, Air Force Scientific Advisory Board
2005–2008 Ex Officio, Defense Science Board
2003–2005 Vice Chair, Air Force Scientific Advisory Board
2000–2003 Member, Air Force Scientific Advisory Board

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.

Heidi Shyu 2008 Revocable Trust, Heidi Shyu Trustee

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

Rhodes Hill Square Condominium HOA, Member
WestEnd Living HOA, member
AUSA, Member

13. **Political affiliations and activities:**

(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 5 years.

None.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $100 or more for the past 5 years.

None.

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

Air Force Exceptional Civilian Service Award
Chinese-American Engineers and Scientists Association of Southern CA. (CESASC) achievement award
Asian-American Engineer of the Year Award from the Chinese Institute of Engineers
Raytheon Hero Award
Raytheon Corporate Excellence in Technology Award
Hughes Aircraft Company Superior Performance Award
Hughes Fellowship
University of Toronto Fellowship
New Brunswick Post-Graduate Scholarship
University Special Undergraduate Scholarship
Atlantic Provinces Inter-University Committee Scholarship
N. Myles Brown Science Award

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

None.

16. **Speeches:** Provide the committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Winter AUSA Symposium Key Note Address—02/22/2012
NDIA Women in Defense keynote speech at National Annual Fall Conference—10/19/2011
Latrun 5th Annual International Conference—9/7/2011
NDIA Ground Vehicle Systems Engineering Technology Conference—8/10/2011
AIAA conference—5/11/2011
DIA conference—3/15/2011

17. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

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[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.]

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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.

HEIDI SHYU.

This 19th day of March, 2012.

[The nomination of Ms. Heidi Shyu was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on September 22, 2012.]

# NOMINATIONS OF DR. KATHLEEN H. HICKS TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY; AND MR. DEREK H. CHOLLET TO BE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS

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**THURSDAY, APRIL 26, 2012**

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

The committee met, pursuant to notice, at 9:37 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, McCain, Inhofe, Portman, and Ayotte.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Richard W. Fieldhouse, professional staff member; Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Peter K. Levine, general counsel; William G.P. Monahan, counsel; Russell L. Shaffer, counsel; and William K. Sutey, professional staff member.

Minority staff members present: Ann E. Sauer, minority staff director; Adam J. Barker, professional staff member; and Christian D. Brose, professional staff member.

Staff assistants present: Jennifer R. Knowles and Kathleen A. Kulenkampff.

Committee members' assistants present: Lindsay Kavanaugh, assistant to Senator Begich; Anthony Lazarski, assistant to Senator Inhofe; Brent Bombach, assistant to Senator Portman; and Brad Bowman, assistant to Senator Ayotte.

## OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good morning, everybody.

This morning the committee considers the nominations of Dr. Kathleen H. Hicks to be Principal Deputy Under Secretary of Defense for Policy; and Mr. Derek H. Chollet to be Assistant Secretary of Defense for International Security Affairs (ISA).

Dr. Hicks and Mr. Chollet, welcome to both of you. Our nominees have demonstrated their commitment to public service throughout their careers. We appreciate your willingness to continue to serve.

We also appreciate the support that your families have provided and that is so essential, as we have seen throughout the decades. As is our custom, you are free to take the opportunity to introduce any family and friends who are here today with you to support you. You can do that at the time of your opening statements.

Our witnesses today are nominated for policy positions that deal with some of the most complex security challenges confronting the Department of Defense (DOD).

The Principal Deputy Under Secretary of Defense for Policy advises and assists the Under Secretary of Defense for Policy on the full range of policy matters, including strategy formulation, contingency planning, and the integration of DOD plans and policy with overall national security objectives. Dr. Hicks has been nominated to replace Dr. Jim Miller whose nomination for Under Secretary of Defense for Policy is presently pending before the committee.

Since 2009, Dr. Hicks has served as the Deputy Under Secretary of Defense for Strategy, Plans, and Forces. In this position, she has helped lead efforts within the Department to develop and implement strategic guidance, including the 2010 Quadrennial Defense Review (QDR), and the Department's recent Defense Strategic Guidance (DSG) issued in January.

Derek Chollet is nominated to be the Assistant Secretary of Defense for International Security Affairs, the principal advisor to the Under Secretary of Defense for Policy and the Secretary of Defense on international security strategy and policy on issues of DOD interest relating to Europe, the Middle East, and Africa, and for the oversight of security cooperation programs and Foreign Military Sales (FMS) in those regions.

Since 2009, Mr. Chollet has held positions at the State Department and on the National Security Council where he has worked on many of the issues that he will confront at DOD if he is confirmed by the Senate.

One of the primary challenges that both our witnesses will have to wrestle with, if confirmed, is maintaining progress in Afghanistan as the lead for security transitions to the Afghan security forces and U.S. coalition forces are reduced in number between now and 2014. Key to the success of this transition will be the Defense Department's policies and efforts to build the capacity of the Afghan army and police and the sustained commitment of our North Atlantic Treaty Organization (NATO) allies and other coalition partners to the goal agreed on at the NATO Lisbon summit of having Afghan forces in the security lead throughout Afghanistan by 2014.

In that regard, I am deeply concerned about news reports regarding an administration proposal to reduce the future size of the Afghan security forces after these forces assume the lead for security throughout Afghanistan. It has been reported that the United States is advocating a proposal in NATO to cut the future size of the Afghan security forces by one-third from 352,000 this year to less than 230,000 after 2014.

Yesterday, Senator McCain, Senator Lieberman, Senator Graham, and I sent a letter to President Obama stating our concerns about these proposed reductions in the Afghan security forces. These cuts appear to be based primarily on current pre-

sumptions regarding what the security situation will be in Afghanistan several years from now. We believe that is the wrong approach. It is just too early to decide that conditions 2 or 3 years from now will allow a one-third reduction in the size of the Afghan security forces. I will place our letter to the President in the record of today's hearing.

[The information referred to follows:]

CARL LEVIN, MICHIGAN, CHAIRMAN

JOSEPH I. LIEBERMAN, CONNECTICUT
JACK REED, RHODE ISLAND
DANIEL K. AKAKA, HAWAII
E. BENJAMIN NELSON, NEBRASKA
JIM WEBB, VIRGINIA
CLAIRE McCASKILL, MISSOURI
MARK UDALL, COLORADO
KAY R. HAGAN, NORTH CAROLINA
MARK BEGICH, ALASKA
JOE MANCHIN III, WEST VIRGINIA
JEANNE SHAHEEN, NEW HAMPSHIRE
KIRSTEN E. GILLIBRAND, NEW YORK
RICHARD BLUMENTHAL, CONNECTICUT

JOHN McCAIN, ARIZONA
JAMES M. INHOFE, OKLAHOMA
JEFF SESSIONS, ALABAMA
SAXBY CHAMBLISS, GEORGIA
ROGER F. WICKER, MISSISSIPPI
SCOTT P. BROWN, MASSACHUSETTS
ROB PORTMAN, OHIO
KELLY AYOTTE, NEW HAMPSHIRE
SUSAN M. COLLINS, MAINE
LINDSEY GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
DAVID VITTER, LOUISIANA

RICHARD D. DEBOBES, STAFF DIRECTOR
ANN E. SAUER, MINORITY STAFF DIRECTOR

United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

April 25, 2012

The President
The White House
Washington, DC 20500

Dear Mr. President:

We write to express our deep concern about reports that in preparations for the NATO Summit in Chicago next month, U.S. officials are advocating a long-term plan for the Afghan National Security Forces (ANSF) after 2014 that would sharply reduce the size of those forces, based on presumptions about the security threat years from now and the affordability of sustaining these forces. The United States needs to ensure that decisions on the future size of and funding for the ANSF will be based on security conditions in Afghanistan at that time, and not set spending levels that could not only jeopardize the progress of the past decade or weaken the security of Afghanistan when they take effect down the road but could also send the wrong message in the interim.

A key part of our Afghanistan strategy has been that, as U.S. and coalition forces draw down, increasing numbers of capable Afghan forces will be available to sustain and expand the hard-won gains that U.S., coalition, and Afghan forces have secured at great cost in blood and treasure. Achieving this objective requires correctly sizing the ANSF to provide enduring security for their country, and ensuring the funding necessary to support that end-strength. We applaud the progress that has been made towards achieving this goal over the past few years, as the ANSF—and in particular, the Afghan National Army—have made significant gains both in their size and professionalism.

We were surprised and troubled, however, to learn that the United States may advocate with our NATO partners a plan to decrease the number of ANSF from 352,000 forces this year to 230,000 after 2014—a reduction of more than one-third. According to multiple news sources, this proposed reduction is being primarily driven by financial considerations rather than the strategic or military calculations of our military commanders. The commander of the NATO Training Mission-Afghanistan was quoted last month as saying that the size of the post-2014 ANSF will be determined by "what the international community will provide and what the Afghans can provide for themselves."

We believe that this is the wrong approach for determining the future size of the Afghan security forces. While we hope that security conditions in Afghanistan improve,

which could then justify reductions in the end-strength of the ANSF, our planning for the future should not presume a best-case scenario or wishful thinking regarding the security threats in Afghanistan. For the foreseeable future, the ANSF will need to be able to contend with a resilient insurgency that enjoys sanctuary in Pakistan. We believe the end-strength of our Afghan partners needed to maintain security should be based on a realistic assessment of the conditions they will be facing and it is too early to decide that conditions two to three years from now will allow a one-third reduction.

Cutting the end-strength of the ANSF based on highly speculative cost estimates is also shortsighted given the tens of billions of dollars that will be saved as U.S. forces withdraw from Afghanistan.

We fully agree with you that there is no reason the cost of sustaining the ANSF should fall on the United States alone. Our NATO allies and other coalition partners will also experience reduced costs as the International Security Assistance Force winds down, and they too share an interest in seeing security and stability in Afghanistan. We join you in urging the major economic powers of Europe, the Middle East, and Asia to join in making long-term financial commitments to sustain the ANSF.

Having labored so hard and so long to recruit, train, and mentor sufficient Afghan security forces to take lead responsibility for Afghanistan's security, we believe it would be a mistake now to undermine this achievement through premature and militarily unjustified reductions in the size of those forces. We urge you to make clear to our international partners that the United States is prepared to work with them to ensure the ANSF has sufficient funding for the end-strength and capability necessary for the enduring security in Afghanistan.

Sincerely,

John McCain
Ranking Member

Carl Levin
Chairman

Lindsey O. Graham
United States Senator

Joseph I. Lieberman
United States Senator

cc: The Honorable Leon E. Panetta
cc: General Martin E. Dempsey, USA

2

Chairman LEVIN. Our NATO and international partners share an interest in a secure and stable Afghanistan and should invest some of their defense savings from drawing down their forces in sustaining Afghan forces over the long-term. We should not, however, jeopardize the hard-won gains of the past years by failing to help fund and sustain the Afghan security forces with what they need to provide enduring security in Afghanistan.

Other major security challenges that our witnesses will share responsibilities for include: countering a potential Iranian nuclear

threat and Iran's broader efforts to destabilize the Middle East; ensuring adequate policy and resource support for ongoing counterterrorism and counter proliferation operations; pressuring the Assad regime to end its murderous campaign against its own people; managing our changing security relations in the Middle East and North Africa in the wake of the Arab Spring; establishing clear policies and priorities for building the capacity of partner nations to address security challenges on their own; and to support the Department's operations to advise and assist the Ugandan effort to eliminate the Lord's Resistance Army and to remove Joseph Kony and his top lieutenants from the battlefield.

Dr. Hicks would also play an important role in implementing the Department's recent DSG which she helped craft. That DSG sets the goal of reshaping the U.S. joint force to be smaller and leaner and at the same time more agile, flexible, and fully capable of meeting the Department's global challenges. That includes rebalancing our global posture and presence, pivoting more toward the Asia-Pacific region and the Middle East.

This week, Secretary Panetta and Secretary Clinton will be meeting with their counterparts from Japan in the so-called Two Plus Two meetings to continue work on arrangements for the future presence of U.S. marines in Okinawa and Guam in light of U.S. plans for the U.S. Marine Corps presence in the Asia-Pacific region under the new DSG.

Senators McCain, Webb, and I wrote to Secretary Panetta earlier this week to express our concerns regarding the affordability, executability, and timing of the realignment of marines. Also, it is important that we understand how this planned distribution of the marines throughout the Pacific supports and complements the broader U.S. strategy and force posture in this important region.

Other challenges include countering transnational threats, ensuring the effectiveness of our nuclear deterrent, addressing the spread of ballistic missiles and weapons of mass destruction, and strengthening the capabilities of our allies and friendly nations to provide their own security.

On the issue of protecting cyber operations, this new but increasingly important and complex mission affects not only DOD but the Government and the economy as a whole. The committee needs to understand the dimensions of the threat of industrial espionage being waged relentlessly against U.S. industry and Government, predominantly by the Chinese security establishment, and its impact on our national security and prosperity. This committee has focused for some time on the need to develop comprehensive policies and frameworks to govern planning and operations in cyberspace. The administration has made some progress in these areas as reflected in recent strategy statements in the development of comprehensive legislation to improve cybersecurity, but much, much more needs to be done. These cyber issues will be among Dr. Hicks' many duties and should be a top priority.

Our witnesses this morning bring strong qualifications to the positions for which they have been nominated. We look forward to their testimony. I now call upon Senator McCain.

**STATEMENT OF SENATOR JOHN McCAIN**

Senator MCCAIN. Thank you, Mr. Chairman. I join you in welcoming our nominees before the committee today and thank them for their continued willingness to serve our country.

Dr. Hicks, you have been nominated for the position of Principal Deputy Under Secretary of Defense for Policy. In this capacity, if confirmed, you would serve as the principal advisor to the Under Secretary of Defense for Policy and the Secretary of Defense on matters concerning the formulation, integration, and oversight of defense policy and plans.

Mr. Chollet, you have been nominated for the position of Assistant Secretary of Defense for ISA. In this capacity, if confirmed, you would support the Under Secretary of Defense for Policy and the Secretary of Defense on Defense Policy and Strategy for Europe, the Middle East, and Africa.

Both of these positions entail important responsibilities for addressing an increasingly complex global security environment. As recent and repeated testimony before this committee has made abundantly clear, the threats confronting our security, our interests, and our ideals are growing not diminishing.

Al Qaeda is becoming more decentralized, and its affiliates in Iraq, the Horn of Africa, and the Maghreb are growing stronger, more independent, and increasingly determined to attack American interests.

Iran continues to threaten the stability across the Middle East through its hostile actions, including killing Americans in Iraq and Afghanistan, supporting terrorist groups across the region, destabilizing Arab countries, propping up the Assad regime in Syria, and its continued pursuit of a nuclear weapons capability.

In Afghanistan, the Taliban insurgency is damaged but not broken. Hard-won security gains are put at risk by the safe havens for the insurgency in Pakistan, by poor governance and corruption in Afghanistan, and by the continued perception that America will abandon Afghanistan. Chairman Levin and I, and other members of this committee, are also concerned by the administration's intent to reduce the ultimate end strength of the Afghan National Security Forces from 352,000 to 230,000.

On the other hand, recent reports that the United States and Afghanistan are close to concluding a strategic partnership agreement are very encouraging. I would be eager to hear from you, Dr. Hicks, about what the administration's plans are concerning a residual U.S. military force for Afghanistan beyond 2014 as part of this and other agreements with the Government of Afghanistan.

In Iraq, violence is up since the departure of U.S. troops. Democratic gains are increasingly fragile as Prime Minister Maliki appears to be consolidating his power at the expense of other political blocs. Meanwhile, al Qaeda in Iraq appears to be making a comeback.

From Tunisia and Libya to Egypt, Yemen, and Bahrain, many countries in the Middle East are undergoing monumental changes resulting from the Arab Spring. The situation remains fluid. The outcome of these revolutions remain unclear, and DOD has an important role to play.

Then there is Syria, where the Bashar al-Assad regime has slaughtered nearly 10,000 Syrians and there is no end in sight. What is obvious and indisputable is that the Kofi Annan Plan has failed. Assad has not abided and will not abide by a cease-fire. Assad's tanks and artillery continue to shell civilian populations. His forces continue to assault and murder Syrians who attempt to protest peacefully. His helicopters are now increasingly attacking Syrian towns and cities. Indeed, since the Annan Plan was announced last month, Assad has escalated the violence, killing at least 1,000 additional Syrians and displacing thousands more from their homes. The only practical effect that the Annan Plan is having at this point is to provide diplomatic cover for Assad to kill more people.

Assad's campaign of violence will continue, as it has for more than a year now, until the military balance of power inside the country shifts against him. This shift will only occur when the United States demonstrates the necessary leadership and takes tangible steps with our friends and allies to help the Syrian opposition to defend themselves. Right now, the United States and the world are failing the people of Syria. Every day that we refuse to lead, more Syrians will die.

Mr. Chairman, I would like to reiterate my concerns about several recent instances where DOD has been nonresponsive to this committee's requests and noncompliant with the law. I sent a letter to Secretary Panetta on March 29th listing several such instances, and while I have received a response to that letter, several issues remain outstanding. I would like to include that exchange of letters in the record of this hearing.

Chairman LEVIN. It will be made part of the record.

[The information referred to follows:]

CARL LEVIN, MICHIGAN, CHAIRMAN
JOHN McCAIN, ARIZONA
JAMES M. INHOFE, OKLAHOMA
JEFF SESSIONS, ALABAMA
SAXBY CHAMBLISS, GEORGIA
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SCOTT P. BROWN, MASSACHUSETTS
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JOHN CORNYN, TEXAS
DAVID VITTER, LOUISIANA
RICHARD D. DEBOES, STAFF DIRECTOR
ANNE SAUER, MINORITY STAFF DIRECTOR

**United States Senate**
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

March 29, 2012

The Honorable Leon Panetta
Secretary of Defense
1100 Defense Pentagon
Washington, DC 20301-1100

Dear Secretary Panetta:

As we discussed yesterday, I am very concerned with several instances of this Administration's non-compliance with Congressional direction or intent. Not only are there serious public policy concerns related to these issues, the Administration's apparent disregard for clear Congressional direction or intent inhibits the ability of Congress and this Administration to work constructively to ensure the security of the citizens of this country.

Specifically, I am referring to the following issues:

- The Department of Defense (DOD) has thus far failed to comply with Section 235 of the Fiscal Year (FY) 2012 National Defense Authorization Act (NDAA) that requires DOD to either terminate or significantly reduce the scope of the MEADS program to eliminate further wasteful spending on a failed program. DOD has not submitted the required report and has instead requested an additional $400 million in FY 2013 for the program. In addition, you have publicly stated that you would do "everything possible" to obtain Congressional approval of this additional funding "to meet our obligation" to our international partners.

- For three months, DOD failed to implement Section 346 of the FY 2012 NDAA that required DOD to commission an expedited independent assessment of U.S. force posture in the Pacific. The independent assessment is due to Congress today, but a contract for the study was just finalized on March 23, after repeated inquiries from the Senate Armed Services Committee. This delay makes it impossible for this Committee to have the benefit of the study results as we review the President's budget request and force structure proposals.

- The Air Force continues to refuse to fully comply with Section 135 of the FY 2010 NDAA and Section 146 of the FY 2012 NDAA, as well as direction from your office, to spend funds authorized and appropriated for the E-8C Joint STARS aircraft re-engining program for that purpose. A recent Congressionally mandated audit found $27 million remains available for the program, but the Air Force reportedly intends to transfer these funds to other programs.

- DOD has delayed for over a year submission of the 11th Quadrennial Review of Military Compensation. This comprehensive review of the military compensation system was mandated by Congress in 1967 and is to be submitted every four years. The latest report was due to Congress in April 2011, but has not been received as of today.

- The President has clearly not followed through on his commitment, stated in the report required by Section 1251 of the FY 2010 NDAA and again in February 2011 as a condition to Senate ratification of the New START treaty, to modernize the nuclear weapons complex. One year after ratification of the treaty, the President's FY 2013 budget request for the Department of Energy's National Nuclear Security Administration abandons or delays key elements of the nuclear weapons complex modernization plan.

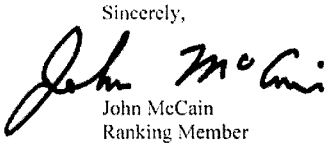
- Following a lengthy and intense debate on provisions in the FY 2012 NDAA regarding detention in military custody of suspected terrorists, Congress and the Administration reached a bipartisan agreement that is reflected in Public Law 112-81 enacted on December 31, 2011. However, on February 28, 2012, the President issued a Presidential Policy Directive that effectively eviscerated major sections of that law, clearly contradicting the letter and spirit of the law.

- The President's signing statement on the FY 2012 NDAA threatened to not comply with Section 1242 that required submission to Congress of a plan to normalize defense cooperation with Georgia. Despite the language in the signing statement, I understand that DOD is attempting to comply with the law, but plans to present a briefing to Congress, rather than the required report.

The issues noted above represent only those instances of non-compliance of which I have recently become aware. I hope that these are isolated instances that reflect simple misinterpretations of the law or inadvertent oversights, rather than willful disregard for Congressional direction or intent.

I look forward to working with you to resolve these serious matters.

Sincerely,



John McCain
Ranking Member

SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

APR 2 4 2012

The Honorable John McCain
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Senator McCain:

I am writing in response to your March 29, 2012, letter which raised a number of issues pertaining to the Department of Defense's response to Congressional concerns. I appreciate those concerns and I would like to give you a status of each issue.

- *DoD compliance with Section 235 of the FY12 National Defense Authorization Act (NDAA) that requires DoD to either terminate or significantly reduce the scope of the MEADS program.*

  Section 235 fences 75 percent of FY12 funding for MEADS until DoD submits a plan to use the FY12 funds as final obligations for either (1) implementing a restructured program of reduced scope; or (2) contract termination liability costs with respect to the program's contracts. The first 25 percent of the funding will be exhausted around April 30, 2012.

  Because of cost and schedule overruns in the MEADS program, the U.S. has already negotiated a reduced scope design and development phase, completing a Proof of Concept (PoC) with $800 million in FY12 and FY13 funding. Completing the PoC will allow us to meet our commitments to our partners, Italy and Germany, and obtain meaningful data and results from the U.S. and allied investment.

  After the FY12 NDAA was enacted, DoD went back to Italy and Germany requesting an agreement to restructure the program to come within the FY12 funding. Italy and Germany have refused to consider restructuring of the PoC. The responsibility of the U.S. under the Memorandum of Understanding (MOU) with Italy and Germany is contingent on the availability of funding. This contingency and the risk that FY13 funds from the U.S. will not be available have been explained to Germany and Italy several times. The two countries have made it clear to the Department, and Germany has advised Senator Levin directly, that they remain fully committed to their MOU obligations and expect that all partner nations will provide their 2013 funding to complete the nine year PoC effort.

  DoD will submit a report to Congress the week of April 23 outlining our plan to comply with Section 235. We do not expect to have agreement with the other partners,

so the plan will describe U.S. actions only and will rely on the provision in the MOU that makes U.S. contributions to the program contingent upon available funding. If the requested FY13 funds are not appropriated and authorized, DoD will risk confrontation with key allies and likely their assertion that the U.S. has unilaterally withdrawn from the MOU, which would make us potentially liable for any contract modification or termination costs incurred by the Germans and Italians that would not have been incurred but for the U.S. withdrawal.

- *DoD compliance with Section 346 of the FY12 NDAA that required DoD to commission an expedited independent assessment of the U.S. forces posture in the Pacific.*

In compliance with Section 346, DoD contracted with CSIS to perform an independent assessment of the planned U.S. force posture in the Pacific. Because of contracting delays, CSIS completed a preliminary assessment in mid-April, which is not within the 90 day time frame specified in the law. The preliminary assessment and accompanying Secretary of Defense comments were briefed to the Armed Services Committee on April 23. DoD will continue to consult with Congress on U.S. force posture in the Pacific, as CSIS undertakes its independent assessment.

- *Air Force compliance with Section 135 of the FY10 NDAA and Section 146 of the FY12 NDAA to spend funds authorized and appropriated for the E-8C Joint STARS aircraft re-engining program.*

In September 2009, the AT&L directed the Air Force to continue JSTARS re-engining for four shipsets. The Air Force requested and received funding in FY10 for the first two shipsets. The Air Force then requested $188 million in FY11 to begin work on shipsets #3 and #4. The appropriators cut all but $6 million of the FY11 request and rescinded a portion of the FY10 funds. In response to actions of the appropriators, the Air Force used the remaining funds to complete shipsets #1 and #2. Shipset #1 was installed on the JSTARS test aircraft (T-3) for Systems Development and Demonstration. Shipset # 2 engines are being used as spares for T-3. The re-engining program was then ended.

After completion of the first two shipsets and re-engining tests, $27 million remained in the account. These funds are not sufficient to buy additional engine shipsets or re-engine an operational JSTARS aircraft. Therefore, these funds are currently on withhold. The Air Force would like to use this funding for other critical JSTARS needs; however, this would require a reprogramming.

- *Completion of the 11th Quadrennial Review of Military Compensation (QRMC).*

A 1967 law requires a review of the principles and concepts of the military compensation system "not less than once every four years." The last QRMC was sent to Congress in two volumes in March and August 2008. The Administration's goal for completing the present QRMC was April 2011. The report was actually completed at that time, but the Administration requested an additional analysis on the issues of wounded

warriors and military families. The new version of the report is now complete, but has not been fully coordinated. A draft of the report will be provided to the Senate Armed Services Committee by mid-May.

- *Meet commitment in report required by Section 1251 of FY10 NDAA to modernize the nuclear weapons complex.*

  The Section 1251 report stated that the Administration would seek $74 billion from FY13 to FY22 in funding for modernizing the nuclear weapons complex. This was the first year of a planned ten-year program, which in the context of discussions relating to ratification of the New START Treaty, the Administration committed to providing all required funding for modernizing our nuclear weapons complex.

  In FY12, per the commitment, the Administration requested $7.6 billion. However, Congress appropriated $7.2 billion, $355.3 million less than the budget request for National Nuclear Security Administration's (NNSA) weapons activities.

  DoD then worked with Senator Kyl on his amendment to allow DoD transfer up to $125 million in FY12 DoD funding into the NNSA accounts. The amendment was adopted but no funds have been transferred.

  In FY13, the Budget Control Act forced the Administration to make difficult decisions in setting priorities. As a result, the Administration did not seek the full amount of NNSA weapons activities funding as set forth in the Section 1251 report, $7.9 billion, but instead sought $7.6 billion for NNSA weapons activities. DoD and NNSA are working diligently to find additional funding through efficiencies.

  The Administration remains committed to funding the modernization of the nuclear weapons enterprise, including the nuclear weapons complex.

- *Compliance with provisions in FY12 NDAA regarding detention in military custody of suspected terrorists.*

  As you are aware, following extensive discussions between this Administration and Members of Congress, there was bipartisan agreement on the need to preserve the Executive Branch's authority and flexibility to address counterterrorism threats case-by-case, in a manner that our civilian and military experts believed appropriate. As you noted on the floor last year, the modifications that were made to the bill were intended to give the Executive Branch "complete flexibility" to determine when to apply the provision and made clear that it "leaves the details of implementation in the hands of the Executive Branch, as it is appropriate to do so." Based on the advice of our counterterrorism professionals, the President, through Presidential Policy Directive 14, used the broad discretion provided by Congress to implement the provision in a way that best preserved our national security.

- *Compliance with Section 1242 of the NDAA which requires DoD to submit to Congress a plan to normalize defense cooperation with Georgia.*

The plan required by Section 1242 includes a needs-based assessment of Georgia's defense requirements, a summary of Georgia's requests for defense articles and services over the past two years, Georgia's justification for needing those articles and services, and a description of the Administration's response to those requests.

On January 30, 2012, President Obama announced expanded defense cooperation with Georgia after meeting with President Saakashvili. DoD has been working since January on the plan required by Section 1242, which will reflect the expanded defense cooperation with Georgia. The "needs-based assessment of Georgia requirements" is the time-consuming element of the plan. The plan will be completed and submitted to Congress by May 1, 2012.

I believe that DoD has a way ahead on each of the issues you have raised. I look forward to working with you to resolve any other questions you may have.

Sincerely,

cc:
The Honorable Carl Levin
Chairman

Senator MCCAIN. Most recently, however, we requested a briefing from the Department on military involvement and possible misconduct in Colombia during the Summit of the Americas. Our intention and our effort was to find out if there were any breaches or possible evidence of breaches of national security. That briefing which we received yesterday was wholly nonresponsive to our request. The briefers had no information except to provide a timeline and mechanics of the ongoing investigation. By the way, this stands in stark contrast to the briefings that the chairman and ranking member of the Senate Homeland Security and Governmental Affairs Committee are receiving from the Secret Service. Incredibly, our briefers did not even know the basic facts about the present schedule or the misconduct instance themselves.

Another matter of concern is the establishment of the Defense Clandestine Service. The first we heard about it was in a Washington Post article last week. This committee has a certain responsibility and we should not have to learn about major policy decisions through the public media.

I want the witnesses to know that this unresponsiveness cannot continue.

I look forward to the testimony of our witnesses, and I hope it will provide this committee with a clear understanding of how they will approach what is an increasingly complex and dangerous global security environment in the midst of looming cuts to our national defense budget.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

Senator McCain's letter to the Secretary raises very important issues about the relationship of this committee to DOD in terms of their lack of responsiveness too often to our requests and to our laws and to their commitments. I am going to be taking that issue up, as I have assured Senator McCain, personally with Secretary Panetta.

Senator McCain has also made reference to the Defense Clandestine Service, that announcement that we read about in the paper and should have been briefed about before we read about it. We are going to have a committee hearing when we get back, promptly after we get back from next week's recess. Senator McCain and I are trying to find a good date for the committee to have that hearing on that proposed change, and there are representatives here today from DOD. If you have not already received a call, you will very soon to set up that date, and we would expect the appropriate witnesses to be here for that hearing.

Let us now call upon our witnesses, and we will first call upon Dr. Hicks.

## STATEMENT OF DR. KATHLEEN H. HICKS TO BE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY

Dr. HICKS. Thank you, Mr. Chairman, Senator McCain, members of the committee.

I am honored to appear before you today as the President's nominee for the position of Principal Deputy Under Secretary of Defense for Policy. I have had the great privilege to serve President Obama, Secretary Gates, and now Secretary Panetta for the past 3 years,

and if the Senate chooses to confirm me for this position, I look forward to continuing to support America's men and women in uniform.

I have been fortunate to serve under the Secretary of Defense since 1994. For much of that time, I did so as a member of the career Civil Service. In my experience, Senators, we as a Nation possess an unmatched career national security workforce. They are often unsung patriots serving with superior dedication across administrations and political parties and alongside their military colleagues. I am deeply humbled to represent that community in some small way through my presence here.

I want to acknowledge and thank my family foremost. I want to thank my husband, Tom Hicks, and our three children, Benjamin, Margaret, and Alexander. They have made considerable sacrifices for the demands of my job. If confirmed, I will rely on their continued support and understanding.

I am also grateful to be joined by my parents: my father, retired Rear Admiral William J. Holland, Jr.; and my mother, Ann Holland. It is especially fitting that they are here today as it is my parents who taught me the value of a life spent in service to country and community, a value I hope I am passing to my own children.

Finally, I want to acknowledge my oldest brother, Bill Holland, also a former naval officer, and my five brothers and sisters who could not be here today.

Senator, the lives of Americans today are influenced more than ever by events beyond this country's borders, and the need for American leadership in the world has never been greater. If confirmed, I will work closely with Congress and this committee to advance U.S. national security interests. I will look to assist the Under Secretary of Defense for Policy and the Secretary of Defense in building and maintaining strong defense relationships around the globe, preventing crises where possible, and preparing for crises when necessary, and ensuring alignment of DOD activities and programs with strategic guidance. I will also place a high priority on assisting the Under Secretary of Defense for Policy in the day-to-day leadership of the Office of the Secretary of Defense (OSD) policy organization, upholding its hallmark standards of excellence, integrity, and responsiveness.

The U.S. military is only one instrument in our holistic national security approach, but it is the key instrument. If confirmed, I pledge to provide policy advice and guidance that advances Secretary Panetta's first key strategic principle for DOD: to maintain the world's best military.

Mr. Chairman, Senator McCain, members of the committee, thank you for considering my nomination. I look forward to your questions.

Chairman LEVIN. Thank you very much, Dr. Hicks.

Mr. Chollet.

**STATEMENT OF MR. DEREK H. CHOLLET TO BE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS**

Mr. CHOLLET. Thank you, Mr. Chairman.

Chairman Levin, Senator McCain, members of the committee, thank you for the opportunity to appear before you this morning.

I am grateful for the confidence that President Obama has shown by nominating me to this position, and I thank Secretary Panetta, Deputy Secretary Carter, and Acting Under Secretary Miller for their support of my nomination.

I would also like to acknowledge the support from two of my bosses during the past 3½ years, Secretary of State Clinton and National Security Advisor Tom Donilon, and express appreciation for the confidence they have shown in me.

I also want to thank my family for their support, for I could not do this without them. My wife, Heather Hostetter, is here today and serves as an inspiration for everything I do. Our son Lucas is also here. I would thank both he and his mom for putting up with so many missed dinners and lost weekends while I have been at work.

I would also like to thank my brother-in-law, Adam Hostetter, and many other friends and colleagues who are here with me today.

Mr. Chairman, members of the committee, America's national security interests covered by the position of ISA in Europe, the Middle East, and Africa are as profound as they are vast. From ensuring that the transatlantic alliance remains strong, to strengthening Israel's security, to preventing Iran from developing a nuclear weapon, to seizing the opportunities and meeting the threats stemming from the Arab Spring, to working with NATO to ensure a steady transition in Afghanistan, to developing deeper partnerships with African states to meet shared interests, the United States must play a central role. If confirmed, I look forward to working with this committee and Congress as a whole to address these challenges and seize the genuine opportunities these issues present.

Mr. Chairman, 20 years ago this spring I had one of my first experiences in Washington as an intern on your personal staff, and if I recall, I assisted your staff with research on the Conventional Armed Forces in Europe Treaty. Since then, I have had the opportunity and privilege to work closely with several of our country's foremost national security leaders such as former Secretary of State James Baker, former Secretary of State Warren Christopher, and Ambassador Richard Holbrooke. From them and many others, I learned not just by experience but by their example of the importance of public service, of a deep belief in bipartisanship, and the conviction that American leadership remains indispensible to helping solve global problems.

Mr. Chairman, if confirmed, I will make every effort to live up to the confidence placed in me and the excellence demonstrated by our men and women in uniform around the world every day.

Thank you and I look forward to your questions.

Chairman LEVIN. Thank you very much, Mr. Chollet.

Here are the standard questions we ask of our nominees and you can answer them together. In order to exercise our oversight and legislative responsibilities, we must be able to receive testimony, briefings, and other communications of information, and that is why we ask our nominees the following questions.

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

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

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

Dr. HICKS. No.

Mr. CHOLLET. No.

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

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

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

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

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

Mr. CHOLLET. Yes.

Dr. HICKS. No. I am sorry. Yes. I apologize. I misheard the question.

Chairman LEVIN. That is okay. I probably did not state it clearly. Let me repeat it.

Dr. HICKS. Thank you.

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

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

Chairman LEVIN. By the way, thank you for listening. Even though you misheard, you obviously were trying to listen. Sometimes I wonder if our witnesses have been just prepared to go "yes, yes, yes, no, no." [Laughter]

Do you agree, if confirmed, to appear and testify upon request by this committee?

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

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

Dr. HICKS. Yes.

Mr. CHOLLET. Yes.

Chairman LEVIN. Thank you.

Let us try a 7-minute round for questions. A number of our colleagues are actually at subcommittee hearings of this committee this morning, and I am afraid that kind of conflict happens a lot, usually not with our own subcommittees, but today it did and we cannot help that at times. So they will not be able to be with us, I am afraid.

First of all, Dr. Hicks, about the Afghan security forces, this is an important issue for us, and as I mentioned, four of us have sent

a letter to the President about this matter because we are concerned about the announcement or the statement by our general over in Afghanistan that we are going to—or more accurately, the Afghan security forces are going to be decreased in number after 2014 from 352,000 to 230,000 which is a reduction of one-third. That was based on saying that basically it was an affordability issue.

Now, we think that the right approach is to wait until a later point when we know a number of things, number one, what the circumstances are on the ground, because transfer of the responsibility for security to the Afghan forces is really a key part of the mission in Afghanistan because they are in the position to defeat the insurgency with our support. That is the ongoing success that it is going to be achieved in Afghanistan. So this announcement or statement relative to reductions we thought, those of us who sent this letter, myself, Senator McCain, Senator Lieberman, Senator Graham—that announcement, we thought, was very premature.

Let me ask you, Dr. Hicks, about your views on that subject.

Dr. HICKS. Senator, I am not familiar with the statement that you are drawing from. What I can tell you is I agree completely with your statement that we should have a conditions-based approach to our way ahead, and to my knowledge, no decisions have yet been made, certainly on U.S. Force levels following 2014.

I do think that as we look ahead—and, if confirmed, I would certainly look to make this a priority—we should be thinking very hard about how the sustainability of the force for Afghanistan can be assured into the future. Part of that is cost for the Afghans, but it is not the only factor. I would look forward to working with this committee, if confirmed.

Chairman LEVIN. Cost not just for the Afghans but also the cost for the coalition, NATO, and ourselves in terms of sustaining is going to be one factor, but it surely should not determine, number one, what the size of that Afghan force is. Second, compared to the current cost of our presence in Afghanistan, being able to have an Afghan army and police that is able to do the job would really be a bargain. Would you not agree?

Dr. HICKS. I do agree.

Chairman LEVIN. Mr. Chollet, do you have any comment on that?

Mr. CHOLLET. Sir, I would just add that I believe General Allen in testimony before this committee made clear that no decision had been made, and that in terms of the slope downward from the surge of 352,000 troops, that is something that he would do a rigorous assessment of the metrics on how we could have that down slope.

Chairman LEVIN. Thank you.

Let me ask you about the Afghanistan-U.S. strategic partnership agreement, which Senator McCain made reference to as being an important step forward, and I totally concur with him in that statement.

What impact do you believe that agreement, strategic agreement for an ongoing relationship, is going to have on Pakistan's strategic calculus and on its continuing support to insurgents who are using safe havens in Pakistan to launch cross-border attacks against coa-

lition, U.S., and Afghan forces? Do you see any effect of that strategic agreement on Pakistani behavior?

Dr. Hicks, why do we not start with you?

Dr. HICKS. Mr. Chairman, I think the strategic partnership agreement—I have not been briefed on it in detail, but I think it signifies a significant commitment by the United States to sustain itself and its relationship with Afghanistan into the future. My understanding and view is that would have a significant effect on the Pakistanis' understanding of the United States' commitment to remain engaged in the economic future and the political future, as well as the security of Afghanistan.

Chairman LEVIN. Mr. Chollet, do you have any comment on that?

Mr. CHOLLET. Sir, I as well have not been briefed fully on the strategic partnership agreement. My understanding is you will be receiving a briefing from administration officials later today on the scope of that.

If confirmed, Pakistan will not be in my portfolio, but I would just say on the Afghanistan piece that it will send an extremely important signal of our long-term commitment to Afghanistan and it will send a clear signal that we will not be withdrawing from the region as we did in the 1990s.

Chairman LEVIN. Now let me ask you a question about Syria. Apparently Turkey is willing to create and defend a safe zone along the border inside of Syria. Are you aware of that willingness? Is that, in fact, the case? If so, what has been the reluctance of NATO to step up and support Turkey in that effort? Dr. Hicks?

Dr. HICKS. Mr. Chairman, I am not aware of that commitment. What I can tell you is that in my current capacity, I am familiar with the combatant commanders' planning efforts with regard to Syria and we are doing a significant amount of planning for a wide range of scenarios, including our ability to assist allies and partners along the borders.

Chairman LEVIN. You are not familiar with that report that there was an expression of willingness on the part of Turkey to create a safe zone?

Dr. HICKS. Mr. Chairman, I am not familiar with that report.

Chairman LEVIN. Okay, thank you.

Mr. Chollet?

Mr. CHOLLET. Mr. Chairman, I am familiar with the reports that Turkey might be willing, but I am unaware of any official request, or even serious discussion for that matter, about how NATO and other powers may be able to help Turkey in that regard. I may note that in the cross-border incident several weeks ago, there was again some reports about a possible article 4 discussion within NATO. Again, to my knowledge, that has not been requested by the Turkish Government.

Chairman LEVIN. Do you have any opinion as to whether or not that would be a wise move, and if Turkey is willing to take the lead in doing that, do you have an opinion as to whether or not NATO should be supportive of that willingness?

Mr. CHOLLET. Mr. Chairman, I think if the Turkish Government requests an article 4 discussion with NATO, NATO would be obliged to have that discussion with them. I would support that, of course.

In terms of the details of a so-called buffer zone, I know that as Chairman Dempsey and Secretary Panetta have testified before this committee and others, there are risks clearly with any military option by the United States or anyone in Syria. But it would be a discussion I would think we would at least be willing to pursue with the Turkish Government if they were to so initiate it.

Chairman LEVIN. Do you have thoughts on that, Dr. Hicks?

Dr. HICKS. Mr. Chairman, I agree. I think we should take seriously any efforts by others to think through ways of dealing with the problem set. This is a very complex problem, many risks involved, but worth looking at.

Chairman LEVIN. Thank you.

Senator McCain.

Senator MCCAIN. So we should take seriously any suggestions rather than lead? Right? Is that pretty much what you are saying?

Dr. HICKS. Senator McCain, my view is that the United States is leading diplomatically.

Senator MCCAIN. How are they doing that?

Dr. HICKS. Senator McCain, my understanding is that the President has been very clear in pulling together both the Friends of Syria group, working through the United Nations (U.N.) aggressively, working the sanctions issue.

As far as the DOD role, again, we are focused—in my current capacity, I am focused on supporting the combatant commanders in developing plans for all kinds of approaches, should the President decide to take further steps in the military vein.

Senator MCCAIN. Mr. Chollet, do you have a comment on that since you work at the National Security Council? Are we taking the lead vis-a-vis the issue of Syria?

Mr. CHOLLET. Senator, the President has been very clear—what an outrage that is happening in Syria today. He gave a speech on Monday at the Holocaust Memorial in which he was very clear on that score and spoke of the unspeakable violence and brutality that is being wrought upon the Syrian people. There are no questions there are mass atrocities.

Senator MCCAIN. I am glad he has spoken up.

What concrete actions have been taken, Mr. Chollet?

Mr. CHOLLET. I think the administration has been moving on multiple tracks, as Dr. Hicks has mentioned: an economic track to put incredible pressure on the Assad regime, working with our friends and allies; a diplomatic track through the Friends of Syria to strengthen the international consensus, some 70 countries against Assad——

Senator MCCAIN. Actually they have not worked with the Friends of Syria. At least the Friends of Syria say they have not because I met with them, Mr. Chollet. So that is not a fact.

Do you believe that Assad has complied with any of the six conditions set forth in the Kofi Annan Peace Plan?

Mr. CHOLLET. I believe he has not complied with most of them.

Senator MCCAIN. Is it true that the number of people that Assad has killed in Syria has grown considerably since the Syrian Government agreed to the Annan Plan?

Mr. CHOLLET. There has certainly been an uptick of violence. I do not have——

Senator MCCAIN. In your view, will the administration admit that the Annan Plan has failed and then move beyond it to take other actions to end the killing?

Mr. CHOLLET. Senator, the Security Council resolution passed last Saturday allows for certain reports back to the council.

Senator MCCAIN. Do you believe the Annan Plan has failed or succeeded?

Mr. CHOLLET. It is too early to tell.

Senator MCCAIN. It is too early to tell whether the Annan Plan has succeeded or failed?

Mr. CHOLLET. I would say it is failing.

Senator MCCAIN. What would you say, Dr. Hicks?

Dr. HICKS. Senator McCain, I would say it is failing and that Annan himself has indicated he is extremely worried about progress on the plan.

Senator MCCAIN. Who is worried about it?

Dr. HICKS. Kofi Annan has, himself, said he is very concerned about the ability of his plan to succeed at this point given the actions of the Syrian regime.

Senator MCCAIN. Yes. So his suggestion has been to have more observers. The Washington Post had an interesting editorial, I would refer for your reading, this morning, "Where U.N. monitors go in Syria, killings follow."

Mr. Chollet and Dr. Hicks, I am glad to hear that we are planning such a leadership role. I can guarantee you nobody in the Middle East believes that. I can guarantee you that this is a shameful situation where these people are being slaughtered, and we are talking about economic sanctions and diplomatic sanctions when we should be helping these people as we helped the people of Bosnia, as we helped in Libya, and we have helped in other times in our history. So I am very disappointed in your answers.

Mr. Chollet, do you believe the Syrian opposition is al Qaeda?

Mr. CHOLLET. The opposition, as Secretary Panetta has mentioned before this committee, is deeply splintered. There are probably as many as 100 different groups. There are definitely some extremists within the opposition, but the vast bulk is not.

Senator MCCAIN. Do you believe that the situation has improved or worsened in Iraq since the withdrawal of U.S. military forces from the country?

Mr. CHOLLET. I think it is stabilized.

Senator MCCAIN. You think it is stabilized when the vice president of the country has to go to Erbil because of the threat of being arrested, that Maliki is greeted in Tehran with full honors, that there is exacerbated relations. Barzani made a statement yesterday that he thought that they would have to consider being an independent country. Do you think all those things are good?

Mr. CHOLLET. No, sir, I do not. I think Iraq——

Senator MCCAIN. You think it is stabilized.

Mr. CHOLLET. I do. I do. Iraq was able to host a successful Arab League summit in Baghdad without incident.

Senator MCCAIN. Which most countries did not show up for. Go ahead.

Mr. CHOLLET. But Iraq has enormous challenges. I will not deny that. If confirmed, it will be one of my priorities to work hard on

Iraq, although the DOD role is much reduced there, and to ensure that we meet the opportunities that a new Iraq offers.

Senator MCCAIN. The United States has provided roughly $1.5 billion a year for about 3 decades to the Egyptian Government under Mubarak. Do you think we should review that whole issue of aid to the Egyptian military, Mr. Chollet?

Mr. CHOLLET. Senator, it was an issue the administration looked at very closely over the course of the last few months. Secretary Clinton decided to move forward with that aid. I think it is something that at the current time, given how fragile Egypt is, given the important transition that is upcoming in the next few months of the election and then the writing of the new constitution, given that Egypt is the heart and soul of the Arab world, at this point we do not want to look into that or pursue that option.

However, we need to be able to ensure that a new Egyptian Government is held accountable and lives up to its obligations, including its peace treaty with Israel.

Moving forward, it may be something we do consider, but at this time, I do not think the time is right.

Senator MCCAIN. General Mattis recently told this committee that Assad has the momentum on the ground in Syria. Do you think Assad is currently winning militarily? Both of you.

Mr. CHOLLET. He clearly has the balance of force on his side and again, as the President had made clear, there is unspeakable violence on the Syrian people.

Senator MCCAIN. So our answer then is not to provide them with arms or means to defend themselves? It is better to use diplomatic and economic measures. Is that your answer?

Mr. CHOLLET. Secretary Clinton has made clear we are providing non-lethal support to the nonviolent opposition. The State Department is administering that, sir. It includes communications equipment, and that is the course we are pursuing at the moment.

Senator MCCAIN. I see. So you feel that non-lethal equipment really does the job against artillery, helicopters, and tanks? Is that correct?

Mr. CHOLLET. Sir, we believe that the non-lethal support does help the opposition, but clearly they are still threatened every day by Assad.

Senator MCCAIN. I hope that you and Dr. Hicks might have an opportunity to go to the refugee camps on the Turkish border and hear from the now 25,000 people who have fled their homes who have been subject to systematic murder, rape, and torture, and you might have a little bit different view as to the efficacy of non-lethal assistance and diplomatic and economic measures.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Last week I was in Afghanistan, and saw a lot of things you do not get through the media. We had an extensive time with not just Ambassador Crocker and General Allen, but also a lot of the troops in the mess halls and that type of thing, which we always try to do.

General Allen made a statement, and he had some pretty strong feelings because of the rumors that are out there, that perhaps prior to the mandatory withdrawal of 2014 they might be accelerating this. He had some strong feelings about this. He said that this could be disastrous if we did that, for 2012 and 2013 will be, in his words, the critical moments in this fight as International Security Assistance Force continues to grow, train, and transition control to the Afghan army and the Afghan police.

Do you agree with him in that statement?

Dr. HICKS. Senator, I do. I think we have to be very careful about the way in which we move forward. Our approach should be conditions-based. There are many considerations that go into that, and no decisions have been made. General Allen's voice is a key voice in the decisionmaking going forward.

Senator INHOFE. I appreciate the word, because you used "conditions-based" also in your opening statement, which I always appreciate hearing.

As I said to both of you before, one of the frailties in this kind of a hearing is that whether the President is a Republican or a Democrat, it does not really matter. Those people who are nominated by him are generally going to say that they support his policies. This always puts it awkward.

For example, one of the worst things that he has done, in my opinion, when he first started was to make a commitment to close Guantanamo Bay (GTMO). Now, that has not happened, but he has made every effort to do that. If I were to ask you if you agree that we should close GTMO, you would probably say that is what the President said and we agree to that.

I want you to keep in mind—and I would like to ask both of you to do this. Look at the expeditionary legal complex that we have there and the history of the trials that have taken place, the military tribunals that take place there.

The reason I say this is because there is some discussion—even though I consider that to be a great asset that we have. In fact, it is one of the few good deals that this country has. We have had GTMO since what, 1904, and it is about $4,000 a year and they forget to collect about every other year. It is a pretty good deal.

But they have a great complex there and it is one that it really disturbs me when they talk about releasing more of the combatants who are there. As of December 29, 2011, of the 599 that have been released, 167 we can document have returned to the fight. That is 28 percent. That is really disturbing to me, and it was a mistake.

Now, while this President has not been able to close it, he has tried to do it. We have stopped him from doing it in this committee. But now there is talk of the five Taliban that they are talking about releasing at this time.

We set up something in the law in our Senate Armed Services Committee, our authorization committee, that the Secretary of Defense has to certify before further release of combatants, and the certification process is pretty complicated. It says he has to certify that the state to receive the released combatant is not a designated state sponsor of terrorism, maintains control over each detention facility, is not as of this date of certification facing a threat. This has put him in a very awkward situation for having to do that.

What I would like to have you share with me is your feelings about GTMO, not the policy that is in place right now, but its future and specifically these five combatants that they are talking about releasing, the Taliban.

Dr. HICKS. Senator, under my current position, I have no purview over detainee operations anywhere in the world, to include at GTMO. But if confirmed, that will be part of my responsibilities, and I take very seriously the concerns that you express. I would commit to certainly looking with the general counsel at the issues you raise of the five detainees in particular and coming forward with hearing your view on how we should move forward and coming to some conclusions.

Senator INHOFE. Okay. I think that is fair enough. Would you add to that that you would be looking at the advisability of maybe bringing more people into GTMO? There has not been one new detainee admitted since 2008. In light of the recidivism rate that I just went over, I just want to know what your thinking is.

Dr. HICKS. Senator, I would certainly commit to, if confirmed, coming in and having an understanding from you of your concerns and working within the administration to look at that issue.

Senator INHOFE. Okay. That is really all I could ask at this time because it is a resource we have to start using again. People are dying because we are not using it properly.

Mr. Chollet, you mentioned in your opening statement U.S. Africa Command (AFRICOM). That was my thing that I was originally interested in because heretofore it was under three different commands, U.S. Pacific Command, U.S. European Command, and U.S. Central Command. It is working very well. I just got back from Africa and from Stuttgart where their headquarters is.

A couple of things there. There is always an effort by Members of Congress to say, "let us take that AFRICOM and take it away from Stuttgart in this case and put it in my State." I would like to have you be aware and talk to General Ham about what a mistake that would be. My feeling was it should have actually been located in Ethiopia or someplace on the continent. However, with all of their concerns, I have personally talked to the presidents of many of the countries who agree that would have been good except they can never sell the idea to the Africans because they will think about going back to colonialism and that type of thing.

I would like to have your commitment to this committee that you will look at the resources that General Ham has and make sure that we are paying proper attention. It has been my feeling for a long time that as the squeeze takes place and there is the terrorism going down through the Horn of Africa, through Djibouti, that this committee has made a commitment to work with the Africans in establishing brigades so that they can take care of their own needs if such time comes. Do you agree with my concern about AFRICOM?

Mr. CHOLLET. Sir, I absolutely agree that AFRICOM has been a very successful command. In my current job, I have had the opportunity to work a bit with General Ham, and he is very impressive. You have my commitment that, if confirmed, I would love to come and talk with you further about how we might work with AFRICOM.

Senator INHOFE. All right. I appreciate it.

I want to get you also on record because I think I know what your answer is. Some of these programs, the security assistance and engagement programs, have been my favorite. I single out sometimes Africa in terms of the International Military Education and Training (IMET) program, the train-and-equip program. They have been very successful there. There was a time, as I have talked to both of you about this before, that we considered an IMET program participation as we are doing them a favor when, in fact, if we do not do it—and I am talking about now training the junior grade officers here in the United States. Once we do that, they have an allegiance that is always there. I would want to maintain those programs in a very strong way, not just IMET but train-and-equip, FMS, foreign military financing, and some of the other programs.

Dr. HICKS. Senator, those are highlighted in our DSG. I completely agree with you on their importance and they are part of what we highlight as building partnership capacity efforts that help us throughout the world.

Mr. CHOLLET. Senator, I completely agree. If confirmed, I would look forward to working with you.

Senator INHOFE. Okay, that is good.

My time has expired, but for the record, I would ask some questions having to do with our nuclear modernization program, Dr. Hicks. We are very much concerned about it. I know that back during the New Strategic Arms Reduction Treaty (START) program, which I opposed, commitments were made by this administration to sustain a modernization program and a U.S. nuclear deterrent. It is becoming more and more significant right now than it has been in the past. I will be asking some specific questions for the record on that issue.

Thank you very much, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

Thank you, Dr. Hicks. Thank you, Mr. Chollet, for being here today and for your service and future service to our country.

Dr. Hicks, I wanted to ask you about an issue. I had the chance to visit the Philippines in January, and it was also an issue raised by my constituents. It was about Clark Air Force Base, a cemetery at that Air Force base where more than 8,300 U.S. servicemembers and their loved ones have been buried. In fact, that cemetery was maintained by the Air Force for 90 years until 1991. In 1991, after the Air Force vacated Clark Air Force Base and there was a volcanic eruption there, they left the cemetery and then it was not maintained at all until, fortunately, in 1994 there was a group of private citizens that came forward—and I certainly want to commend those private citizens that did that—to maintain this area where 8,000 of our service men and women and their dependents were buried and those who sacrificed for us. Certainly they deserve our gratitude. But I believe that it is a responsibility for us when we have our veterans, that they deserve to be treated with dignity and respect.

I wanted to ask you, I understand that you are coming into this position and not to rehash what the Air Force should or should not have done. I actually believe that there are other areas of the Federal Government that have responsibility to maintain this cemetery. What I wanted to hear from you is, notwithstanding your other responsibilities, that you will ensure that there is coordination in the future. For example, if we close bases overseas that we coordinate with other agencies within the Federal Government to make sure that where our veterans are buried, that those cemeteries are properly maintained consistent with the dignity that our veterans and their families deserve. If that is something that you could assure me that in our responsibilities you would make sure that we did have coordination going forward, that we would fulfill our responsibility to those veterans?

Dr. HICKS. Senator, I will assure you of that. I believe, as you have stated, that the dignity of our veterans and certainly our buried Americans are vital, and that as we close bases or move our global posture, that is an issue we should be addressing in our considerations.

Senator AYOTTE. Thank you.

I have also introduced a bill with Senator Begich that is a bill that will ensure that those 8,000-plus men and women and their family members that are buried at the Clark Air Force Base veterans cemetery are properly—that those facilities are maintained with the dignity that they should be. I would love to send you a copy of that just to get your feedback on it, Dr. Hicks.

Dr. HICKS. I welcome that, Senator.

Senator AYOTTE. Thank you very much.

I wanted to follow up on Senator Inhofe's questions on nuclear modernization. Let me just start with this, Dr. Hicks. I know this is going to be a very important responsibility that you have in your new position and wanted to ask you, do you believe a reliable and modern nuclear deterrent is central to America's national security?

Dr. HICKS. Senator, I do.

Senator AYOTTE. Do you believe a strong and dependable U.S. nuclear deterrent also helps prevent nuclear proliferation around the world?

Dr. HICKS. I do.

Senator AYOTTE. I recently introduced a letter, which I would like to submit for the record. I have sent a letter to the President expressing my concerns in following up on the New START treaty that he has not followed through in the proposed fiscal year 2013 budget with a commitment to making sure that we have sufficient resources to modernize our nuclear capabilities. In fact, one of the deep concerns I have is that in order for us to be able to ensure that our nuclear deterrent is modernized and capable, we also have to have sufficient resources to build and maintain the Chemistry and Metallurgy Research Replacement facility. Are you familiar with the plans for that facility at Los Alamos?

Dr. HICKS. Senator, I am not.

Senator AYOTTE. This is very important in terms of modernizing, making sure that we have a sufficient nuclear deterrent. I am going to submit this letter that I wrote to the President expressing my concerns about the fact that there has not been follow-through

on the commitment to modernize our nuclear weapons and our deterrent to make sure that they are effective.

[The information referred to follows:]

United States Senate
WASHINGTON, DC 20510

April 25, 2012

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are writing to request that the administration honor its past commitment to modernize the United States nuclear weapons complex. Your budget proposal currently underfunds nuclear modernization, endangering our nation's nuclear deterrent and the security of all Americans.

A reliable and modern nuclear deterrent is central to American national security. A credible nuclear arsenal deters potential enemies from launching a nuclear attack against our country or our allies. A strong and dependable U.S. nuclear deterrent also helps prevent nuclear proliferation by assuring friendly nations that a nuclear program is unnecessary. When the U.S. fails to maintain a reliable and modern nuclear deterrent we undermine these objectives which are central to the security of our country.

The Senate's ratification of the New START Treaty was contingent on the administration's commitment to modernize the United States nuclear complex and strategic delivery systems. Section 1251 of the fiscal year (FY) 2010 National Defense Authorization Act (NDAA) required that the administration submit a 10-year modernization plan. In response to this statutory requirement, in November 2010, the administration pledged to provide sufficient funding over the next five years relative to the initial plan provided to Congress in May 2010. Unfortunately, your budget proposal fails to honor these commitments and does not adequately address our nation's growing nuclear modernization needs.

One consequence of this failure to provide adequate funds for nuclear modernization is the delay in the start of construction for the Chemistry and Metallurgy Research Replacement (CMRR) facility at Los Alamos National Laboratory in New Mexico. This facility, which supports our nuclear stockpile and warhead life extensions, is critical to the credibility of our nation's nuclear stockpile which has deterred our enemies and kept the peace for decades. The current facility is 50 years old and was originally scheduled to be replaced by 2021 according to the 2010 Nuclear Posture Review, which also noted that replacement of this facility is one of the "key investments...required to sustain a safe, secure, and effective nuclear arsenal." During a March 27, 2012, Senate Armed Services Committee hearing, the Commander of Strategic Command, General Robert Kehler, testified that this CMRR facility was critical to our country's nuclear modernization and expressed concern that the construction of the CMRR facility, under your budget proposal, would be delayed by five to seven years.

The Senate Resolution of Advice and Consent to Ratification required the administration to provide a justification when nuclear modernization funding fails to match prior commitments. This requirement was triggered in December 23, 2011, when you signed the FY

2012 Omnibus Bill that did not fully fund the 1251 plan. This plan was due in February, and as of the date of this letter, the administration has not provided this report to Congress.

For those who voted in favor of New START, the commitment to nuclear modernization was deemed essential. Those of us who came to the Senate after the New START was ratified, and who were already skeptical of the treaty's merits, will watch closely to see how these commitments are carried out. A failure to honor past nuclear modernization commitments will impact our willingness to support New START implementation and any future treaties related to our nuclear weapons complex.

While our nation's fiscal crisis demands that we make difficult budget decisions, failing to address our nation's nuclear modernization requirements will add a needless national security crisis to our nation's fiscal crisis. Reductions to nuclear force levels mandated by New START cannot be made without unacceptable risk unless the arsenal and the weapons complex are modernized.

We welcome the opportunity to work with your administration to ensure the United States maintains the safe and reliable nuclear deterrent that has protected our nation for decades.

Sincerely,

Kelly A. Ayotte
United States Senator

John Hoeven
United States Senator

Ron Johnson
United States Senator

John Boozman
United States Senator

Roy Blunt
United States Senator

Rob Portman
United States Senator

Marco Rubio
United States Senator

Patrick J. Toomey
United States Senator

Rand Paul
United States Senator

Daniel Coats
United States Senator

Jerry Moran
United States Senator

Mike Lee
United States Senator

Senator AYOTTE. For the record, I would ask that you take a look at this letter that I, along with several other Senators, have sent to the President, and would ask you to also comment on that letter, when you are confirmed. I would ask for an answer to receive your comments on the concerns I have raised to the President and what you believe needs to be done to ensure that our nuclear deterrent is modernized, effective, and capable.

Dr. HICKS. Senator, if confirmed, I welcome an opportunity to review the letter and respond.

Senator AYOTTE. Thank you very much. I think this is very important, and I am deeply concerned about where we are right now on this issue. I am also concerned that if we do not modernize in the way that I believe the President made a commitment in the confirmation of the New START treaty that it will be to the detriment of our nuclear deterrent and also in my view could encourage proliferation around the world particularly when we look at some of the actors that we are trying to prevent from having nuclear weapons capability, including Iran.

One final additional issue I would like to follow up on from Senator Inhofe's question, because you will have responsibility, Dr. Hicks, over our detainee policy. Before the Senate Armed Services Committee, I have questioned many of our military leaders about this issue if we were tomorrow, for example, to capture Ayman al Zawahiri, who is now the head of al Qaeda. For example, if we were to capture him in Pakistan, where would we detain an individual like that to question that individual to gather intelligence to be able to protect our country and obviously, hopefully, find out more about that organization so we could stop their dangerous activities.

You are, of course, familiar with Mr. al Zawahiri?

Dr. HICKS. I am.

Senator AYOTTE. Do you know, if we did capture him tomorrow, where we would detain him?

Dr. HICKS. I do not know that answer.

Senator AYOTTE. I got the same answer from Admiral McRaven who is the distinguished Commander of our U.S. Special Operations Command when he first came before the committee, when I was first elected to the Senate, and then I asked him again recently that question. He did not have an answer for me either of where we would put him or an individual like that.

Would you agree with me that if we capture someone like that, one of the important responsibilities we have is to gather intelligence about what an individual, particularly the head of al Qaeda, would know about future attacks and also the activities of that terrorist organization?

Dr. HICKS. I agree that would be very important.

Senator AYOTTE. To me, this is the ultimate issue as you review the closure of GTMO. In the absence of bringing anyone to detain them at the Guantanamo facility, if we do not have an equivalent facility, then there is no place for us to put them. So to me, without an answer to that, it is very troubling in terms of how we would gather intelligence, how we would assure their security. That is a question that I would like you to answer when you take on this responsibility because if you are going to be responsible for detainee policy in this country, this is the foremost question that must be answered. I look forward to receiving your answer on that in your new capacity because if we cannot answer that question, I think it is a grave problem for our country. Would you agree?

Dr. HICKS. I agree.

Senator AYOTTE. I thank you so much for coming before the committee today and look forward to working with you on this detainee issue and answering that important question, as well as the nuclear modernization question for the safety of our country. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Portman.

Senator PORTMAN. Thank you, Mr. Chairman.

Dr. Hicks and Mr. Chollet, thank you for being here today. You have gotten some input from members of the committee that I hope you have found useful and I hope we will see you back here again after you are confirmed because I assume you will be.

I will start by saying that Senator Ayotte's comments on nuclear modernization are probably some of the more significant ones that we have heard today because this will be, at the end of the day, critical to our ability to maintain the peace. I was a signatory of the letter for the reasons that she stated, which is we are concerned about the administration's commitment. You will both have an opportunity to have further input on that. We do look forward to you not just reviewing that letter, Dr. Hicks, but getting back to us as to our concerns and hopefully providing us some degree of confidence that the administration is moving forward with their commitments.

I am the ranking member on this committee's Emerging Threats and Capabilities Subcommittee. It deals a lot with the threat of terrorism and particularly some of our capabilities in that regard, and I will tell you with our challenges globally now and with our budget pressures, I am concerned that we do not have the authorities, we are not moving aggressively enough showing American leader-

ship, but working with our allies. We cannot do it all ourselves. We need effective partners. Senator McCain talked a little about this in the context of Syria. Senator Inhofe talked a little about it in terms of Africa. I would say we need to look at our national strategies for counterterrorism and combating transnational criminal organizations which again is a part of our subcommittee's work, as well as looking at the recently released DSG, building the capacity of other nations to more effectively combat terrorists within their borders should be a top priority.

There are some authorities focused on this, section 1206, the global train-and-equip authority, the recently created Global Security Contingency Fund, and then there are some targeted authorities. I think Yemen and Somalia would be examples of that where there is a targeted authority.

But I am concerned that they are not sufficient to accomplish this mission in an effective and efficient way. I would love to hear from both of you on that. Do you agree with me? What is your assessment of the current authorities available to you, and do you think that the Department needs additional authority to be able to be more flexible to be able to respond?

Dr. HICKS. Senator, let me first say that the authorities we do have, have made a tremendous difference, and the Department is very grateful to Congress for helping us to pass these authorities.

We are, within the Department, currently actually reviewing the authorities we do have for building partnership capacity and attempting to assess if we need further authority, and if so, what that authority ought to look like. That is an ongoing internal process that I think would most likely result, if it has any legislative results, in information for next year's cycle of legislative proposals. But it is, again, a key component of our strategy, building partnership capacity. It is the kind of area we want to protect and invest in because we think it has significant pay-off for us, and so we are very serious at looking at the authorities.

Senator PORTMAN. I am glad you are looking at it. Mr. Chollet, I want to hear from you on it. I hope you will talk to some of the combatant commanders about it. What they tell me is that it is a bureaucratic maze to go through it; that it needs to be streamlined; that there is not effective coordination or synchronized U.S. interagency coordination and that it creates an issue for them; they need to move quickly; and it can be far more user-friendly.

Mr. Chollet?

Mr. CHOLLET. Senator, I would just concur that these authorities are extremely important, these programs are extremely important, particularly as we look in the Middle East and Africa and the importance of building partnerships in those regions. If confirmed, it is something I will look at very closely because it will be a very important tool in the toolkit that, if confirmed, I would have in terms of developing relationships in those parts of the world.

Senator PORTMAN. Let me give you a specific concern that I would have, and that would be the Horn of Africa and Yemen and what is happening. Some of this is information that we have received in closed briefings. I would encourage both of you not just to look at it, but to go into it with this notion that we do need reform and streamlining, and this is going to be part of our ability

to be successful, not necessarily to put boots-on-the-ground but to arm others, not just to provide diplomatic assistance, and even going beyond training.

With regard to the plan for the future, the QDR is our overall plan that we look to, and a lot of work went into that, the most recent QDR, and a lot of the programs and force structure requirements, of course, were built on the various assumptions that were in there. After the Budget Control Act (BCA), the new DSG was issued about 4 months after the BCA.

My question here is, is the new DSG as effective at thinking through what our challenges are, and do we have a force structure and do we have programs in place that actually can work under this new DSG?

This, of course, does not even take into account the fact that we are now facing a sequester which would make it even more challenging, which Chairman Levin and I and others would like to alter. I am concerned even about the operational plans based on the new DSG.

Can you tell me what you think about that, Dr. Hicks?

Dr. HICKS. Senator, I do think that the new DSG was fully informed, if you will, in terms of its analysis and assessment, much as a normal QDR would be. It involved all the combatant commanders, the Service Chiefs, and the Chairman of the Joint Chiefs in providing their important military advice in the process.

I do believe that the DSG positions us well for the future both in terms of the security environment and the economic effects of contributing to deficit reduction. At the same time, I think it will take, as Chairman Dempsey said, several cycles of program development to get us fully to that joint force of 2020 that we are aiming for. As in all strategies, we have made a significant down payment in this first budget, and we will continue to adapt the force over time to meet that strategy in its full form.

Senator PORTMAN. Let me talk about a specific concern that I have with regard to capabilities and, again, programs that you say are covered under the current plans. I would tell you that the QDR was based on a force structure that was very different than the new DSG, and yet we still seem to have the same policy in place. Iran is an example. The Secretary has said, your current boss for you, Dr. Hicks, and both of your future bosses—that if Iran proceeds developing nuclear weapons, we will "take whatever steps are necessary to stop it."

Can we do that? I look at some of the capability development over the past decades and then what has happened with some of those capabilities, replacing the Marine Corps amphibious vehicles, the Navy amphibious ship. I am talking about the fighter bomber with regard to the Marine Corps. The intelligence, surveillance, and reconnaissance platforms, other capabilities to counter anti-access/aerial denial strategies. How were currently planned force structures informed by these changes in our plans? Do you assess any increased risk there based on the current proposal?

Dr. HICKS. Senator, as Secretary Panetta discussed, when he rolled out the new DSG, we, in fact, explicitly looked at Iran scenarios in developing the force structure that accords to the strategy. In my current capacity, I am very familiar with combatant

commander plans for various scenarios that could occur in and about Iran, and as the President said, all options are on the table. We are looking very rigorously at how to combat any such activity. I am confident, based on my exposure to that, that at acceptable risk we can succeed in campaign plans related to Iran.

Senator PORTMAN. From a budget perspective, tell me how far you think we are away from degrading those capabilities since you say that currently we continue to have them; are we at the edge? Are we precariously close to not having the capabilities we need?

Dr. HICKS. Senator, I do believe that if we have further cuts to the defense budget, we will need to relook at our strategy and the force structure is a part of that. How we reshape the strategy is to be determined and thus whether it would affect those particular capabilities.

Senator PORTMAN. My time has expired, but again, we look forward to continuing to talk to you about these and a lot of other issues that were raised today. Thank you for your service.

Chairman LEVIN. Thank you, Senator Portman.

The further cuts that you just referred to would be the sequestration—is that correct—that Senator Portman made reference to?

Dr. HICKS. Yes, Mr. Chairman.

Chairman LEVIN. I just have a couple of questions on missile defense.

First, on the new European Phased Adaptive Approach (EPAA). In your view—and I think I will ask this of you, Mr. Chollet, first. Does the EPAA send a strong and unified message from NATO to Iran about the unity of the international effort to counter its destabilizing activities and its nuclear and missile programs?

Mr. CHOLLET. I believe it does, Senator.

Chairman LEVIN. Now, in an advance policy question, Dr. Hicks, on whether you would support U.S. and NATO cooperation with Russia on missile defense, you said you supported such cooperation because it could, "strengthen common defenses against Iranian missiles and send an important signal to Iran that Russia and the United States are working together to counter the proliferation and use of ballistic missiles". It is a position I very strongly support, I think you probably know.

Would you include in that considering the possibility of sharing radar and early warning data with Russia as one option for cooperation with Russia on missile defense?

Dr. HICKS. I would.

Chairman LEVIN. Okay. We thank you. We thank your families. We particularly want to thank Benjamin, Margaret, and Alexander—your children—for staying with us. Your mother—I know how important it is to her that you are here.

Is Lucas still here? He is somewhere in the building. If you can hear me, Lucas, the same thing goes for you. I know how important it is to your dad, as well as your mom, that you are here to support your dad.

We look forward to your confirmation, hopefully very early but you never know around here. We will do our best. We will now stand adjourned.

[Whereupon, at 10:50 a.m., the committee adjourned.]

[Prepared questions submitted to Dr. Kathleen H. Hicks by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. I believe there is no need to modify the provisions of the Goldwater-Nichols Act at this time. The Act was a very significant piece of legislation that, over the course of more than 2 decades, has led to dramatic improvements in the effectiveness of the Armed Forces.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. Please see my response above.

RELATIONSHIPS

*Question.* What do you see as the relationship between the Principal Deputy Under Secretary of Defense for Policy (PDUSD(P)) and each of the following?

The Secretary of Defense.

Answer. Pursuant to the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)), as the USD(P)'s principal assistant, the PDUSD(P) serves as a staff assistant and advisor to the Secretary of Defense on all matters concerning the formulation of national security and defense policy and the integration and oversight of DOD policy and plans to achieve national security objectives.

*Question.* The Deputy Secretary of Defense.

Answer. The PDUSD(P) provides support to the Deputy Secretary similar to that provided to the Secretary, as described above.

*Question.* The Under Secretary of Defense for Policy.

Answer. The PDUSD(P) is the principal assistant to the USD(P) and is responsible for assisting the USD(P) in carrying out all responsibilities, fulfilling functions, managing relationships, and exercising authorities provided for in law to the USD(P). The PDUSD(P) advises on and supports the USD(P) with all responsibilities in providing advice to the Secretary of Defense in interagency fora (such as National Security Council deliberations), engagement with international interlocutors, and in the Planning, Programming, Budgeting, and Execution (PPBE) processes inside the Department, including the Quadrennial Defense Review (QDR), the Nuclear Posture Review, and annual program and budget reviews.

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

Answer. Pursuant to the authority, direction, and control of the Under Secretary of Defense for Policy, the Principal Deputy Under Secretary for Policy works closely with the other Under Secretaries of Defense and their deputies, including the Under Secretary of Defense for Intelligence, to achieve the Secretary's objectives. This includes providing policy input, as appropriate, to each of them in their respective areas of responsibility.

*Question.* The Assistant Secretaries of Defense.

Answer. Pursuant to the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)), the PDUSD(P) works closely with Assistant Secretaries of Defense across the Department to achieve the Secretary's objectives. This includes providing policy input, as appropriate, to each of them in their respective areas of responsibility. As the USD(P)'s principal assistant, within the Office of the Under Secretary for Policy, the PDUSD(P) provides oversight of Assistant Secretaries on issues and at times as directed by the USD(P). The Policy team works together to provide the USD(P) and the Secretary with advice and recommendations on the full range of policy issues under consideration in the Department and provides policy oversight to ensure that the Secretary's guidance and decisions are implemented properly.

*Question.* The Secretaries of the Military Departments.

Answer. The Principal Deputy Under Secretary of Defense for Policy works closely with the Secretaries of the Military Departments on a broad range of issues, including strategy development, force planning, and other areas in which the Military Departments are critical stakeholders.

*Question.* The General Counsel of the Department of Defense (DOD).

Answer. The Principal Deputy Under Secretary of Defense for Policy works closely with the General Counsel on all policy issues that involve a legal dimension. This generally requires significant and regular coordination on a broad range of issues.

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

Answer. As the principal military advisor to the Secretary of Defense, the President, and the National Security Council, the Chairman has a unique and critical military role. The Principal Deputy Under Secretary of Defense for Policy works closely with the Chairman and Vice Chairman to support the efforts of the Under Secretary of Defense for Policy, the Secretary and the Deputy Secretary, and to help ensure that military advice is taken into account in an appropriate manner across a broad range of issues relating to strategy, force development, force employment, and other matters.

*Question.* The Commanders of the Regional and Functional Combatant Commands.

Answer. The Principal Deputy Under Secretary for Policy also works closely with the Regional and Functional Combatant Commanders to support the efforts of the Under Secretary of Defense for Policy, the Secretary and Deputy Secretary, particularly in the areas of strategy and policy, contingency planning, and policy oversight of operations.

*Question.* The Administrator and Deputy Administrators of the National Nuclear Security Administration.

Answer. The Principal Deputy Under Secretary for Policy works with the Administrator and Deputy Administrator of the National Nuclear Security Administration, in support of the Under Secretary of Defense for Policy's oversight of strategy for nuclear weapons and forces, as well as USD(P)'s role on the Nuclear Weapons Council.

DUTIES OF THE PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR POLICY

*Question.* Section 134a of title 10, U.S.C., 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. DOD 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 DOD plans and policy with overall national security objectives.

What is your understanding of the duties and functions of the Principal Deputy Under Secretary of Defense for Policy under current regulations and practices?

Answer. My understanding is that, as the principal assistant to the Under Secretary of Defense for Policy (USD(P)), the Principal Deputy Under Secretary of Defense for Policy is responsible for assisting the USD(P) in advising the Secretary of Defense on all matters concerning the formulation of national security and defense policy, and for assisting the USD(P) in carrying out all USD(P) responsibilities outlined in section 134(b) of title 10. This includes, but is not limited to, strategy formulation, contingency planning, and the integration of DOD plans and policy with overall national security objectives.

*Question.* Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense and the Under Secretary of Defense for Policy would prescribe for you?

Answer. If confirmed, I expect that my duties and functions would include advising and assisting the Under Secretary for Policy and the Secretary of Defense on strategy formulation, contingency planning, and the integration of DOD plans and policy. I expect that this would include involvement in the planning, programming, budgeting, and execution (PPBE) system, and in major departmental reviews such as the QDR and the Nuclear Posture Review. If confirmed, I look forward to speaking with the Secretary of Defense and the Under Secretary of Defense for Policy further about how I could best support their efforts.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for this position?

Answer. During the past 3 years, I have been honored to serve as the Deputy Under Secretary of Defense (DUSD) for Strategy, Plans, and Forces (SPF). In that capacity, I advise the Under Secretary of Defense for Policy and the Secretary of

Defense on matters pertaining to the development of U.S. national security and defense strategy. I lead Policy's efforts to provide strategic guidance and implementation oversight to the Department's planning, programming, and budgeting process, including the 2010 QDR. I also oversee the efforts to guide, review, and assess military contingency plans and the plans for the day-to-day military activities of combatant commanders; various force development, force management, and corporate support processes; and the integrated assessment of U.S. military posture, force structure, and associated defense activities and capabilities.

Prior to serving as DUSD for SPF, I spent 15 years working on a wide range of defense and national security issues, both in and out of government. For 13 years, I was a career civil servant in OSD Policy, beginning as a Presidential Management Intern and eventually joining the ranks of the Senior Executive Service. During that time, I held a broad range of responsibilities across the Policy organization, from Deputy Director for Resources, to Director for Strategy, Director for Strategic Planning and Program Integration, and Chief of Staff for the Quadrennial Roles, Missions and Organizations Team. I participated in the 1997 and 2006 QDRs and authored follow-on planning guidance to implement the 1993 Bottom-Up Review and 2001 QDR. From 2006 to 2009 I was a Senior Fellow at a national security and international studies think tank, where I directed research and task forces on defense governance, capabilities-based planning for stability operations, the future of U.S. civil affairs forces, and nontraditional security assistance. I hold a PhD in Political Science from the Massachusetts Institute of Technology, and a master's degree from the University of Maryland's School of Public Affairs. I believe that my substantive expertise and experience would allow me to serve the country well if confirmed as Principal Deputy Under Secretary of Defense for Policy.

STRATEGY FORMULATION AND CONTINGENCY PLANNING

*Question.* One of the purposes of Goldwater-Nichols was to increase military and civilian attention on the formulation of strategy and contingency planning. DOD 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. The role of civilian leadership is not only statutorily mandated, but critical in the formulation of defense strategy and planning. Civilian defense leadership is particularly vital in translating broad national security policies and principles into the strategic ends that ultimately drive military planning.

More specifically, the Principal Deputy Under Secretary of Defense for Policy (PDUSD(P)) assists the Under Secretary for Policy (USD(P)) in supporting the development of the President's National Security Strategy, leading the development of the defense strategy, establishing realistic objectives and guidance to form the basis for contingency planning, and reviewing DOD plans and programs to ensure they support strategic objectives. In addition to the provision of written guidance, an important civilian leadership role is to review contingency plans submitted by the combatant commanders for approval. The PDUSD(P) also assists the USD(P) in facilitating interagency coordination on contingency planning efforts, as necessary.

*Question.* In your opinion, does the civilian leadership currently have an appropriate level of oversight of strategy formulation and contingency planning?

Answer. I believe that the current level of civilian oversight of strategy formulation and contingency planning is appropriate.

*Question.* What steps do you believe are necessary to ensure effective civilian control and oversight of strategy formulation and contingency planning?

Answer. DOD should continue to fortify its capacity for strategic thinking and strategic planning to ensure that it not only deals with the challenges of today but is also well-prepared for those of tomorrow.

The recently released DOD Strategic Guidance (DSG) is evidence that the Department thinks critically about strategy formulation and its associated resource implications. If confirmed, I will continue to work to reinforce these competencies within OSD(Policy). If confirmed, I would also strive to provide the best advice possible to the Under Secretary of Defense for Policy and the Secretary of Defense in fulfilling their responsibilities to provide written policy guidance and to review contingency plans. Finally, I would coordinate closely with the Joint Staff to develop further opportunities to collaborate on planning guidance and strategic reviews, such as the QDR.

MAJOR CHALLENGES AND PROBLEMS

*Question.* In your view, what are the major challenges confronting the Principal Deputy Under Secretary of Defense for Policy?

Answer. If confirmed as Principal Deputy Under Secretary of Defense for Policy, I look forward to playing an important role within the Department and the interagency process in developing policy in a number of key areas, including: defeating al Qaeda and countering the continuing threat of violent extremism; transitioning security responsibility in Afghanistan in a way that protects U.S. vital interests; preventing the proliferation of weapons of mass destruction (WMD), particularly in the cases of Iran and North Korea; strengthening alliances and partnerships globally to strengthen U.S. and international security; maintaining stability in Asia and other key regions; advancing U.S. interests in the context of dramatic changes that have unfolded and are unfolding in the Middle East and North Africa; continuing to strengthen the U.S. defense posture globally, as well as in cyberspace and outer space; and most importantly, ensuring that the United States and its vital interests are secure from attack (this requires continued effort in all of the above-noted areas, as well as sustaining the U.S. nuclear deterrent, missile defenses, and Homeland defense capabilities). A key challenge will be to support the Under Secretary of Defense for Policy, the Secretary of Defense, and the U.S. Government in resolving these and other issues—and pursuing opportunities—in the context of significant fiscal pressures.

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

Answer. If confirmed, I would address these challenges by undertaking the development and implementation of both DOD and interagency strategies, policies, and plans for key regional and functional issues. I would continue to work closely with other components of DOD in support of the Under Secretary of Defense for Policy, the Secretary of Defense, our interagency partners, U.S. allies and partners, and where appropriate, the private sector and nongovernmental organizations. I would seek to ensure that strategies, policies, and plans are updated as needed to reflect new challenges and new opportunities. I would work to support the President and the Secretary's guidance to shape a Joint Force for the future that will be smaller and leaner, but will be flexible, agile, ready, and technologically advanced. I would work with counterparts in other departments and agencies and across the Department to rebalance towards the Asia-Pacific region and place a premium on the Middle East, while remaining the security partner of choice across the globe.

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

Answer. If confirmed, I would work to ensure that DOD pursues a strategic and balanced approach consistent with the recently released new DSG. I would also ensure a strong connection between strategy and resources—supporting the Secretary in making disciplined decisions based on our priorities—and ensure effective working relationships with both military and civilian counterparts throughout the Department and with other Federal departments and agencies. Top priorities would include addressing the challenges listed in my answer to the previous question, including defeating al Qaeda, ensuring the success and effective transition of the mission in Afghanistan, preventing Iran from acquiring a nuclear weapon, rebalancing toward the Asia-Pacific region, and protecting the U.S. Homeland. Continuing to strengthen our alliances and partnerships, and ensuring that the United States engages through forward presence and is the partner of choice globally, would also be key priorities.

DEPARTMENT OF DEFENSE STRATEGIC GUIDANCE

*Question.* The new DSG, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense," announced by President Obama on January 5, 2012, sets out the defense priorities for the 21st century and the key military missions for which the DOD will prepare.

What role, if any, did you play in the preparation of the new DSG?

Answer. As the Deputy Under Secretary of Defense for Strategy, Plans, and Forces, I provided advice and assistance to the Secretary of Defense, Deputy Secretary, and Under Secretary of Defense for Policy, and worked closely with other civilian and military components including the Joint Staff. More specifically, I participated actively in the conceptualization and writing of the guidance, including the description of the projected security environment, the key military missions for which DOD must prepare, and prioritization of the key capabilities associated with succeeding at those military missions.

*Question.* In your view, was the strategic review and decision process comprehensive, inclusive, and transparent?

Answer. Begun under Secretary Gates and continued under the leadership of Secretary Panetta, the Department's strategic review and decision process were comprehensive, inclusive, and transparent. The review developed a revised defense strategy and accompanying investment priorities over the coming decade, including the identification of priority missions and associated capabilities essential to safeguarding U.S. and allied security interests in light of the range of challenges posed by the future global environment. The conduct of the review included routine discussion among and input from all OSD principal staff assistants, the Chairman and Vice Chairman, the Secretaries of the Military Departments and Service Chiefs, and the combatant commanders.

*Question.* Do you agree with the defense priorities set out in that guidance? What changes, if any, would you recommend to those defense priorities?

Answer. I agree with the defense priorities set out in the guidance, and would not recommend any changes at this time. As with all strategies and guidance, I believe that it will be important to review our approach and, if necessary, adapt it as shifts in the strategic environment require.

*Question.* The new DSG includes a new emphasis on U.S. security interests and challenges in the Asia-Pacific region. Accordingly, the Department is taking steps to shape U.S. Forces relative to the air and maritime demands of the Far East and deemphasizing readiness for prolonged or large-scale stability operations.

What is your understanding and assessment of the new DSG's shift of emphasis to the Asia-Pacific and away from large-scale stability operations, and the implications of this shift for shaping U.S. Force structure?

Answer. The new DSG noted that, "given that we cannot predict how the strategic environment will evolve with absolute certainty, we will maintain a broad portfolio of military capabilities that, in the aggregate, offer versatility" across a wide range of missions. The Department's decision not to divest from the capability to conduct any mission reflects a recognition that the future security environment is uncertain.

The new DSG also recognizes that the future strategic environment will require even greater flexibility and agility in projecting power to accomplish the Nation's security objectives. The United States has important and enduring interests in the Asia-Pacific region. We will maintain, and in some areas enhance, our military presence in the Asia-Pacific region by making our posture more geographically distributed, operationally resilient, and politically sustainable. To that end, the fiscal year 2013 budget request protects and, in some cases, increases investments that are critical to our ability to rebalance toward the Asia-Pacific region, including our ability to project power. For instance, this budget funds the development of the next-generation bomber and new aerial refueling aircraft.

The ability of our ground forces to ensure access, reassure allies, deter adversaries, build security capacity and interoperability with partners, and, ultimately, respond to and succeed in crises and contingencies remains an indispensable component of U.S. military capabilities. U.S. Forces will retain sufficient capacity to undertake limited counterinsurgency and stability operations, if required. Equally important, U.S. Forces will retain and continue to refine the lessons learned, expertise, and specialized capabilities that have been developed over the past 10 years of counterinsurgency and stability operations in Iraq and Afghanistan. Recognizing the uncertainties of the international environment, we will also ensure that we have the ability to mobilize and regenerate forces if a larger-scale stability operation becomes necessary in the future.

*Question.* If confirmed, what changes, if any, in DOD manning, training, force structure, and equipment would you recommend are necessary to meet the requirements of the new DSG?

Answer. Under the new DSG, although the U.S. Armed Forces will be smaller in number, we must ensure that they are ready, agile, flexible, and capable forces, with a forward presence that positions them to respond quickly in the event of threats or contingencies. Toward that end, the President's fiscal year 2013 budget request preserves or enhances investments in key areas of continuing urgency, such as counterterrorism efforts and counter-WMD efforts, and areas that will grow in prominence in coming years, such as cyber, missile defense, Special Operations Forces (SOF), and long-range ISR and strike.

STRATEGIC REVIEWS

*Question.* What is your understanding and assessment of the DOD processes for analysis, decisionmaking, and reporting results for each of the following strategic reviews:

The National Defense Strategy;
The National Military Strategy (section 153 of title 10, U.S.C.);
The QDR (section 118 of title 10, U.S.C.);
Global Defense Posture Review (section 2687a of title 10, U.S.C.); and
The Quadrennial Roles and Missions Review (section 118b of title 10, U.S.C.)?

Answer. Each of these efforts serves as a lever to help senior defense officials steer the Department, ensuring that components are moving forward with common goals and objectives and understanding of the security context. They also provide ways to convey information about the defense strategy and program to Congress and the American people.

I have been involved, directly and indirectly, in many of these reviews. With the exception of the National Military Strategy, for which the Chairman of the Joint Chiefs of Staff is responsible, the Secretary of Defense determines the processes and decisionmaking bodies for developing and approving the results of these strategic reviews. Although a wide range of approaches and mechanisms have been employed for these purposes over the years, each review is based on candid advice from senior military and civilian leaders and informed by relevant data and analyses. It is my assessment based on my past 3 years in the Department that the processes for analysis, decisionmaking, and reporting on each of the above-mentioned reports are outstanding.

The QDR examines what DOD will do to support the President's national security strategy, which articulates the administration's views on national security interests and sets priorities. Specifically, title 10 provides that the QDR should be a comprehensive examination of the national defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies of the United States, with a view toward determining and expressing the defense strategy of the United States and establishing a defense program for the next 20 years. The QDR therefore articulates the national defense strategy and the appropriate mix of forces and capabilities to execute it. The QDR 2010 process included broad stakeholder involvement and significant, quality analysis that helped to inform the national defense strategy and its link to U.S. force structure, plans, and programs. Transparency and analytic rigor were also hallmarks of the 2012 DSG development and decision processes.

The National Military Strategy must be reviewed biennially by the Chairman in concert with a risk assessment and submitted to Congress with the budget. If risk is significant, the Secretary's Risk Mitigation Plan accompanies it; the most recent review was completed and submitted in February 2012. The Office of the Under Secretary of Defense for Policy played an important role in the review of the National Military Strategy and in the development of the Secretary's Risk Mitigation Plan.

The Quadrennial Roles and Missions Review (QRM) focuses on key organizational and capability aspects of how the Department can best meet its responsibilities. Title 10 requires a comprehensive assessment of the roles and missions of the Armed Forces and the core competencies and capabilities of DOD to perform and support such roles and missions. The development of the 2010 QDR and the 2012 DSG has significantly influenced its assessment of military roles and missions.

The Department issues an annual Global Defense Posture Report to Congress. DOD continually assesses U.S. defense posture in an iterative and cooperative manner, informed by the defense strategy and supporting operational requirements. To that end, the Department has organized a senior executive council, composed of representatives from across the community of interest, including OSD, the Joint Staff, the Military Department and Service staffs, the State Department, and the combatant commands, to formulate recommendations on global posture to the Secretary of Defense.

*Question.* If confirmed, what recommendations would you make, if any, to improve DOD's processes for analysis, policy formulation, and decisionmaking relative to each review above?

Answer. In general, I have found that the following factors have been associated with successful strategic reviews:

- All relevant stakeholders are represented in formal review and decisionmaking fora. These stakeholders generally include Principal Staff Assistants (PSAs) within the Office of the Secretary of Defense, the Joint Staff, leadership of components, and the combatant commanders.
- Leadership of working groups and review groups is assigned to organizations with the predominant expertise and involvement in the issue areas under examination. Generally, this entails co-chairing arrangements that

involve, at a minimum, key offices within the Office of the Secretary of Defense and the Joint Staff.

• The deliberations and findings of working groups are transparent and are vetted with stakeholders before being presented to top leadership.

• The Secretary establishes and maintains "hands-on" oversight of the overall effort from start to finish.

Also critical for the success of any strategic review is the maintenance of a vibrant, ongoing set of analytical efforts that continually assess the ability of current, programmed, and projected forces to accomplish key missions. If confirmed, I would recommend that insights gained from previous reviews, along the lines of those outlined above, be applied to upcoming reviews, including the development of the next QDR.

AFGHANISTAN

*Question.* Do you support the counterinsurgency strategy for Afghanistan? In your view, is that the right strategy?

Answer. I believe that the U.S. strategy in Afghanistan is sound. I also believe that, over time, the administration should continue to assess and adjust as necessary its implementation of the overall strategy based on conditions on the ground. If confirmed, I am committed to consulting with Congress, and with our allies and partners in this regard.

*Question.* Do you support the President's decision to withdraw the 33,000 U.S. surge forces from Afghanistan by the end of this summer?

Answer. Yes. I support a responsible, conditions-based drawdown as called for by the President. The United States has already withdrawn the first 10,000 surge forces, and the remaining 23,000 will be withdrawn by the end of September. The key to success in Afghanistan is the ability of Afghan National Security Forces (ANSF) to provide security. The surge has allowed the Afghans to develop a more operationally capable and professional force and, in doing so, has established conditions that will support the reduction of forces as planned.

*Question.* If confirmed, what changes, if any, would you recommend to our strategy in Afghanistan as a result of the drawdown of U.S. Forces?

Answer. I believe that the U.S. strategy for Afghanistan is sound, and I do not recommend any changes at present. I believe that the strategy for Afghanistan (and other strategies and plans) should be regularly assessed, with coordinated adjustments made as necessary.

*Question.* If confirmed, what recommendations would you make on the pace of further drawdowns in U.S. Forces in Afghanistan after the end of this summer, when the full U.S. surge force will have been withdrawn from Afghanistan?

Answer. It is my understanding that decisions on further drawdown of forces beyond the recovery of the surge force have not been made. Future decisions on the pace and scale of force drawdown should be based on assessments of operational conditions, and the resources needed to continue progress toward our objectives. If confirmed, any recommendations I make will be based on future assessments of these factors.

AFGHANISTAN TRANSITION

*Question.* Do you support the goal adopted at the 2010 North Atlantic Treaty Organization (NATO) Summit in Lisbon of transitioning lead responsibility for security throughout Afghanistan to the Afghan security forces by 2014?

Answer. Yes, I do support that very important goal.

*Question.* In your view, what are the main challenges to the success of the transition to an Afghan security lead throughout Afghanistan by 2014?

Answer. Safe havens for insurgents in Pakistan and Afghan capacity in the governance and development areas remain the most challenging aspects of transition. The limited capacity of the Afghan Government to govern effectively and to fill government positions at the national and sub-national levels hinders its ability to assume leadership on these lines of operation. Efforts in these areas must underpin the success of the security transition in the effort to achieve durable stability in Afghanistan.

AFGHANISTAN NATIONAL SECURITY FORCES

*Question.* What is your assessment of the progress in developing professional and effective ANSF?

Answer. ANSF operational effectiveness is improving and the ANSF are demonstrating increasing capability. Currently, 13 of 156 ANA Kandaks or battalions

have the highest possible rating, "Independent with Advisors". However, the more critical measure is the number of units rated at "Effective with Advisors" and "Effective with Partners," which are the levels necessary to support transition. Since December 8, 2011, the percentage of ANA units rated as "Effective with Partners" or higher grew from 85 percent to 91 percent. Although the ANSF are currently not ready to operate independently of ISAF in most areas, they are assuming an ever-increasing leadership role in operations across Afghanistan, and are on schedule to meet the 2014 goal for transition of security responsibility to the Afghan Government.

*Question.* What do you see as the main challenges to building the capacity of the ANSF to assume lead security responsibility by 2014?

Answer. A first challenge is to continue to build out the full complement of 352,000 ANSF, and to continue to improve the quality, readiness, and performance of these forces. We need to continue ongoing programs to expand ANSF literacy, and continue to provide financial and advisory support to the institutional training centers and existing Afghan training cadres that are currently building leadership and technical capacity of both the Army and the Police. A second challenge is for the ANSF to develop a greater capacity for critical enablers, including logistics support; mobility (e.g., rotary wing); intelligence, surveillance, and reconnaissance (ISR); and operational planning. Third and most broadly, the ANSF must continue building its self-confidence through operational success in taking the lead responsibility for securing transitioned areas and protecting the Afghan people.

*Question.* If confirmed, what recommendations, if any, would you make for addressing those challenges?

If confirmed, I would continue current efforts to simplify and accelerate the distribution of ANSF goods and services, support the continued provision of U.S. enabler support as a bridging strategy, and continue the mentoring of Afghan leadership and other training and education programs.

*Question.* General Allen has testified that options are under consideration for reducing the size of the ANSF after 2014, including a proposal to cut the ANSF by one third from 352,000 in 2012 to around 230,000 after 2014.

What do you see as the main challenges for sustaining the ANSF through 2014 and beyond, and if confirmed, what recommendations, if any, would you make for addressing these challenges?

Answer. A sustained and well-organized international effort to train, advise, and assist the ANSF will be critical to their success both before and after transition in 2014. Building ANSF enabler capacity, as noted in my answer to a preceding question, will also be critical. Continued improvement in the functioning of the Ministries of Defense and Interior, including sustained progress in fighting waste and corruption, will be essential. The United States and other coalition partners must continue to provide the requisite fiscal and personnel support. Maintaining the international community's support for the ANSF through 2014 and beyond is critical to ANSF sustainability and ensuring that the ANSF remain able to provide security for Afghanistan. If confirmed, I will assist the Under Secretary of Defense for Policy and the Secretary of Defense in their efforts to develop a focused international engagement strategy, in conjunction with other elements of the United States Government, leading up to the NATO Summit in Chicago in May. The Chicago Summit will serve as a key milestone in solidifying the international community's long-term support and commitment to the ANSF, first established in Lisbon and reaffirmed in Bonn, through 2014 and beyond.

*Question.* Do you agree that the security conditions on the ground in Afghanistan should be a determining factor in considering any future reductions in the size of the ANSF after 2014?

Answer. I do.

U.S.-AFGHANISTAN STRATEGIC PARTNERSHIP

*Question.* In your view, how important to the success of our strategy in Afghanistan is the conclusion of a Strategic Partnership Declaration between the United States and Afghanistan setting out our bilateral relationship over the longer-term?

Answer. I assess the Strategic Partnership to be of great importance to our long-term success in Afghanistan. A Strategic Partnership has important benefits for our campaign in Afghanistan and our broader relationship with Afghanistan, and it is important to note that the Strategic Partnership encompasses U.S. actions and intentions as well as those of the Government of Afghanistan. As a long-term, broad strategic framework for future U.S. and Afghanistan relations, the Strategic Partnership will send a critically important message to the Government of Afghanistan, the Afghan people, and enemies of the Afghan state that the United States remains

committed to the security and stability of Afghanistan and the welfare of its people. Of critical importance, it emphasizes that we will not abandon the Afghan people while clearly signaling to al Qaeda and its affiliates that Afghanistan will not once again become a safe haven for their use.

U.S. RELATIONSHIP WITH PAKISTAN

*Question.* What is your assessment of the current U.S.-Pakistan security relationship?

Answer. Our relationship with Pakistan is challenging but critical to our national security and our regional interests. Over the past year, the relationship has suffered a number of setbacks and, until recently, our relationship has been nearly frozen. If confirmed, I look forward to assisting the Secretary and Under Secretary of Defense in their work with Pakistan to define and develop a more constructive and durable relationship once the Government of Pakistan informs us of its plans to implement the recommendations for the bilateral relationship that Pakistan's Parliament put forth.

Historically, the U.S. military-to-military relationship with Pakistan, like our overall relationship, has seen good and bad phases. However, we still have important shared objectives. A core U.S. national security goal is to disrupt, dismantle, and defeat al Qaeda and its affiliates to ensure that they do not find safe havens in Afghanistan and Pakistan, and to mitigate the threat to the United States, our allies and partners, and our interests abroad. Pakistan has suffered more than 12,000 military personnel killed or wounded and more than 36,000 civilian causalities in recent years from terrorist actions. The Pakistani military is operating currently against some, but not all, militants that enable the safe havens, and we are committed to working with Pakistan to address this persistent threat. As President Obama has said, "We have killed more terrorists on Pakistani soil than anywhere else, and that could not have been done without their cooperation." Pakistan also has a clear stake in Afghan stability and will be an important participant in the process that ultimately brings the conflict to a successful conclusion.

*Question.* If confirmed, what recommendations would you have regarding the nature and extent of U.S. engagement with Pakistan going forward on issues of counterterrorism and other security matters?

Answer. As President Obama has stated, "We will continue the work of devastating al Qaeda's leadership and denying them a safe haven." The conditions that allow the group to maintain its safe haven and regenerate—including its ability to capitalize on relationships with militant affiliates—can only be addressed through a sustained local presence opposed to al Qaeda. Therefore, we will defeat al Qaeda only through sustained cooperation with Pakistan. Greater Pakistani-U.S. cooperation across a broad range of political, military, and economic pursuits will be necessary to achieve the defeat of al Qaeda in Pakistan and Afghanistan as we work to change the conditions on the ground that give rise to safe havens.

If confirmed, I would continue to support DOD's efforts in coordination with our interagency partners for a constructive and mutually beneficial relationship with Pakistan, aimed at advancing shared national security objectives.

U.S. ASSISTANCE TO PAKISTAN

*Question.* The United States has provided significant military assistance to Pakistan, including foreign military financing (FMF) and training and equipment through the Pakistan Counterinsurgency Fund (PCF) to build the capacity of the Pakistan Army and Frontier Scouts to conduct counterinsurgency operations. The United States has also provided significant reimbursements to Pakistan through the Coalition Support Fund (CSF) for support that Pakistan has provided to U.S. operations in Operation Enduring Freedom. Currently, both U.S. military assistance and reimbursements to Pakistan have been largely suspended.

In your view, under what conditions, if any, should the provision of U.S. military assistance to Pakistan under FMF and PCF be resumed?

Answer. Please see combined answer below.

*Question.* In your view, under what conditions, if any, should the provision of reimbursements to Pakistan under CSF be resumed?

Answer. In my view, our current capacity-building programs with the Pakistan military and paramilitary forces have been an important component in improving the Pakistan military's counterterrorism and counterinsurgency capabilities in order for Pakistan's military to fight extremists whose safe havens enable terrorists that threaten the United States. Our assistance has also helped to improve cross-border coordination. Going forward, it is vital that Pakistan live up to its responsibilities, including to cooperate fully in counterterrorism matters, and to expand its

counterinsurgency campaign against all extremists and militant groups that have found safe haven inside Pakistan. In the wake of the Osama bin Laden raid, the administration asked Pakistan to take a number of concrete steps to demonstrate its continued commitment to a cooperative and mutually beneficial relationship. Future provision of all security-related assistance will be informed by Pakistan's response to these requests and to the overall restart of our relationship in the wake of the November 26, 2011, cross-border incident that resulted in the deaths of 24 Pakistan Army soldiers. If confirmed, I will work with Congress to ensure that the support the United States provides to Pakistan yields the results we seek.

IRAQ

*Question.* President Obama has said that the December 31, 2011, withdrawal of all U.S. military forces from Iraq marked the beginning of a new chapter in the U.S.-Iraq relationship.

What in your view are the highest priorities for the U.S.-Iraq security relationship going forward?

Answer. Developing a long-term security relationship with Iraq, as part of a broader enduring commitment to regional peace and security, is one of our highest priorities. This relationship should include consultation on regional security issues, and the continued development of appropriate Iraqi military capabilities.

*Question.* What, in your view, are the greatest opportunities for U.S.-Iraq security cooperation going forward, and, if confirmed, how would you recommend that DOD pursue those opportunities?

Answer. The Office of Security Cooperation-Iraq (OSC–I), under Chief of Mission authority, is the cornerstone of the long-term U.S.-Iraqi strategic security partnership. It will serve as the main vehicle to expand our security cooperation relationship with the Iraqis. On a daily basis, the OSC–I coordinates security assistance and security cooperation activities, and conducts training to support the development and modernization of the Iraq Security Forces.

The Defense and Security Joint Coordination Committee (DSJCC), established under the Strategic Framework Agreement, is another vehicle to strengthen bilateral relations, including security cooperation. The DSJCC, the next meeting of which will take place in late May, will be co-chaired by the acting Under Secretary of Defense for Policy and the acting Under Secretary of State for Arms Control.

If confirmed, I will assist the Under Secretary of Defense for Policy in advancing both of these important vehicles for expanding our security cooperation.

*Question.* What do you see as the greatest challenges facing the Department with regard to our security relationship with Iraq and, if confirmed, how would you recommend meeting those challenges?

Answer. Ensuring Iraq's integration into the regional security framework will remain an important task. The Department will need to continue strengthening its security relationship with Iraq through security cooperation activities, while helping to expand Iraq's military engagement with key regional partners.

If confirmed, I will support the DSJCC and will seek to bolster the U.S.-Iraq defense partnership on a wide array of security matters.

TRANSATLANTIC RELATIONSHIP AND NATO

*Question.* In your view, how important to U.S. national security interests is the U.S. transatlantic relationship with our European partners?

Answer. NATO remains of vital importance, and is a net provider of global security. As President Obama has said, Europe remains the cornerstone of our engagement with the world, and NATO is the most capable alliance in history.

The transatlantic relationship is of critical importance to U.S. national security, and the transatlantic community has never been more closely aligned in confronting the challenges of a complex, dangerous, and fast-changing world. In Libya, NATO allies came together with Arab and other partners to prevent a humanitarian catastrophe, and to support the Libyan people. In Afghanistan, with nearly 40,000 allied and partner forces alongside our own, we have built and sustained NATO's largest-ever overseas deployment. As Iran has continued to defy its obligations under U.N. Security Council resolutions, the United States, Europe, and other partners have put in place the toughest sanctions yet.

*Question.* In your view, what is the role of the NATO alliance in meeting U.S. security interests?

Answer. The United States has important stakes in a strong, mutually supportive NATO alliance, and the President has stressed his strong desire to rebuild and adapt transatlantic security relationships to meet 21st century security challenges. NATO's new Strategic Concept is an important step in ensuring that NATO will

continue to play its unique and essential role in ensuring the common security of its members, including in meeting U.S. security interests, and it will guide the next phase in NATO's evolution.

*Question.* What are the greatest challenges and opportunities that you foresee for NATO over the next 5 years?

Answer. Over the next 5 years, the top NATO-related challenges include achieving durable progress and a successful transition in Afghanistan, implementing missile defense in Europe, and stemming the deterioration in European military capability. Many of our NATO allies have been under-investing in defense capabilities, especially when it comes to deployable expeditionary forces. Many have significantly reduced their national defense budgets in response to the global economic crisis, and some are planning further cuts. A key challenge—and a key opportunity—will be for allies to determine which capabilities must be sustained, and how that can be done in a more cost-effective manner.

*Question.* Should NATO consider an expanded role for Israel within the organization?

Answer. Israel is an active and valued partner of NATO through the alliance's Mediterranean Dialogue program, which includes practical cooperation as well as political dialogue, both bilaterally with NATO and multilaterally including the other six Partners in the Mediterranean Dialogue. The United States supports and encourages this partnership, and encourages other allies and partners to do so as well. The Mediterranean Dialogue includes an "Individual Cooperation Program," developed between NATO and Israel, which outlines Israeli desires for engagement with NATO.

BUILDING PARTNER CAPACITY

*Question.* In the past few years, the Defense Department has requested and Congress has approved a number of temporary authorities to build the capacity of partner nations or provide security assistance. These include the section 1206 global train-and-equip authority, targeted authorities to build capacity in Yemen and East Africa, and the Global Security Contingency Fund.

In your view, what are the strategic objectives and priorities for the Department's programs for building the capacity of partner nations?

Answer. In my view, the primary strategic objective of the United States in building the capacity of foreign partners is to help them develop effective and legitimate security institutions that can provide for their countries' internal security and contribute to regional and multilateral responses to threats and instability. This, in turn, mitigates the burden on U.S. Forces responding to security threats outside the United States, and serves to build a base of countries that can effectively participate in multinational coalition-based operations.

Successfully countering violent extremist networks requires that we develop and sustain a global network of allies and partners that is capable and interoperable. Additionally, once partners become capable and have sufficient capacity, they are able to help bolster regional security in a way that supports U.S. interests. In some cases, participation by these partner nations' forces provide cultural and linguistic advantages that afford them better access and effectiveness than U.S. Forces executing the same mission. For example, today Colombia provides justice sector and security force assistance to other U.S. partner nations in the Americas and Africa.

Finally, efforts to build partner capacity promote interoperability between U.S, and other nations' forces, and enable the U.S. Military to establish personal connections and long-term relationships with foreign counterparts. We can never be certain where in the world U.S. Forces may be required to operate. Enduring relationships with partner nations are at the core of a multinational coalition's strength, helping to secure shared access to facilities and territory, information, and diplomatic support.

*Question.* What improvements, if any, would you recommend, if confirmed, to the strategic direction, oversight, and management of the Department's programs for building partner capacity to ensure that these programs are executed consistent with U.S. national security goals and objectives?

Answer. If confirmed, I would continue to support DOD capabilities and investments that encourage and enable partners to develop capable security forces and institutionalize the Department's capacity to provide high impact security force assistance. I would provide recommendations to the Secretary and Under Secretary of Defense that enable them to make informed choices with regard to the location and frequency of DOD activities that build partners' security capacity. It is essential in this era of shifting focus and constrained resources that we carefully prioritize which partners we engage with, how often, and to what end.

Also if confirmed, I would continue to assist the Under Secretary of Defense for Policy in implementing process improvements in the delivery of defense articles and services for urgent and emerging needs.

*Question.* What is your assessment of the implementation and effectiveness of the Department's programs for building partner capacity in achieving U.S. national security goals and objectives?

Answer. In general, the Department's capacity-building programs are useful tools that contribute significantly to the achievement of our national security goals and objectives. These programs are most effective when they are closely aligned with the Department of State's foreign policy objectives while addressing critical needs as identified by our foreign partners. This is best demonstrated by several examples.

First, our security force assistance programs with the Philippines military over the last several years have enabled those forces to conduct effective domestic counterterrorism operations and to contribute to regional maritime security. Specifically, we have improved their surveillance, tracking, and interception capabilities, and provided tactical equipment that has been used in numerous operations against extremist organizations in the Southern Philippines. Importantly, the provision of radars has been a catalyst for Philippine interest in acquiring secure communications methods, which will enable information sharing with U.S. Pacific Command on radar and intelligence operations. The Government of the Philippines recognizes the importance of these investments and is now sustaining its newly acquired capabilities through national funds and Foreign Military Financing (FMF)/Foreign Military Sales (FMS) programs.

Colombia is another good example of where more than a decade of security force assistance has enabled a partner to combat internal destabilizing elements effectively—in that case, the FARC. In particular, we have provided support to aviation training, intelligence and operational fusion, operational planning, riverine operations, logistics, command and control, security, and medical training. Now, we are encouraged to see that Colombia is in turn providing justice sector and security force assistance of their own to other U.S. partner nations across the Americas and in Africa.

Finally, Georgia is an example of how our coalition support authorities have enabled a relatively small partner nation to serve in Afghanistan, not only deploying there with battalion-sized combat units that operate without caveats, but punching well above their weight class while doing so. The provision of high-mobility multipurpose wheeled vehicles, night vision goggles, communications equipment, and training has enabled Georgian forces to make a significant contribution to coalition operations, in turn lessening the burden on U.S. Forces deployed to Afghanistan.

*Question.* In your view, what should be the role of DOD, vis-a-vis the State Department and other civilian departments and agencies, in efforts to build the capacity of foreign security forces?

Answer. The United States will be more successful at deterring and responding to security challenges when allies and partner security forces act in a way that is complementary to U.S. goals and objectives. Our experiences in Iraq and Afghanistan, our continuing efforts to counter violent extremist organizations and transnational criminal organizations, and our preparations for future contingencies clearly illustrate the need for capable partners who can apply capabilities complementary to U.S. military objectives. In that vein, I believe that DOD should sustain and grow the capability to develop partner security forces, especially forces to train, advise, and assist partners during conflict.

Building the capacity of foreign security forces is a shared responsibility within the executive branch, particularly by the Departments of State and Defense. Close collaboration between the Departments is a key characteristic of the Section 1206 authority, and one of its greatest strengths. The Global Security Contingency Fund epitomizes this shared responsibility, and represents an opportunity for the State Department and DOD to plan for contingencies jointly, and to establish a new business model for interagency planning of security sector assistance.

RUSSIA

*Question.* What is your assessment of the current U.S.-Russian security relationship?

Answer. In September 2010, then-Secretary Gates and Russian Minister of Defense Serdyukov advanced the U.S.-Russia defense relationship by establishing the Defense Relations Working Group (DRWG). Through its eight subworking groups, the Department engages with the Russian Ministry of Defense across a spectrum of cooperative defense activities—missile defense, defense technology, social welfare, training and education, as well as regional and global security, and defense policy.

These efforts have helped each country gain important insights into one another's defense establishments. Reciprocity is a key element of this engagement. The defense relationship and military-to-military activities are focused in part on helping Russia's efforts to reform its Armed Forces, and a reformed Russian military is a positive goal worth pursuing. These efforts are not enhancing the combat capabilities of the Russian Armed Forces.

Cooperative Threat Reduction (CTR) cooperation continues to be a steady component of the U.S.-Russian relationship. Although the international agreement that governs CTR cooperation with Russia (i.e., the CTR Umbrella Agreement) is due to expire in June 2013, the administration looks forward to an extension of this agreement and a continuation of its work with Russia.

*Question.* What do you believe are appropriate objectives for U.S.-Russian security relations, and what do you believe are the areas of common interest between the United States and Russia in the security sphere?

Answer. The United States and Russia should be able to cooperate effectively in the many areas where we share common interests; communicate effectively in areas where we have competing interests; and negotiate reasonably in areas where we have overlapping interests.

Among the most important areas where the United States and Russia have common interests is in countering the proliferation of WMD, particularly nuclear weapons. We have had significant cooperation on—for example—Iran. The Russians cancelled a major weapons sale worth several hundred million dollars to Iran in 2010 and supported UNSCR 1929, which imposed international sanctions on Iran's ballistic missile and nuclear programs. I believe that the United States should continue to seek Russian support to ensure that Iran does not develop nuclear weapons. Similarly, Russia is a key player in reversing North Korea's nuclear and missile programs, and shares common interests in this regard. As a third example, the Cooperative Threat Reduction Program continues to be one of the most successful cooperative programs in the U.S.-Russia relationship. Finally, the United States and Russia share strong interests in reducing the likelihood of nuclear war, as reflected in the New START treaty.

Russia also has an interest in stability in Afghanistan. U.S. efforts in Afghanistan have benefited greatly from improved security relations with Russia. The Northern Distribution Network has been critical to continued operations given the closure of our Pakistan ground lines of communication. Russia allows our military personnel, supplies, and equipment to transit its territory by air and rail and will soon allow for reverse transit from Afghanistan. Russia has also been forward-leaning in identifying possible areas of cooperation on counternarcotics, and we have been engaging Russia to develop these ideas.

*Question.* What are the greatest challenges in the U.S.-Russian security relationship?

Answer. The United States has developed a constructive relationship with Russia over the past several years. Despite mutual cooperation, challenges remain and progress has been uneven in some areas. Georgia, conventional arms control in Europe, and missile defense are some of the more challenging issues in our bilateral security relationship.

In the case of Georgia, the United States is holding Russia to the letter of the Medvedev-Sarkozy Agreement, urging it to restore international monitors to the occupied territories of Abkhazia and South Ossetia. The Department would like to see more transparency on Russian military activity in the region. Together with our European partners, we will maintain our support for Georgia's territorial integrity and sovereignty within its internationally recognized borders and will continue to support international efforts to find a peaceful resolution to the dispute over Abkhazia and South Ossetia.

We would like to see more progress on conventional arms control in Europe and Russia's full implementation of its existing commitments. The United States is committed to revitalizing the conventional arms control regime in Europe and continues to consult on a way forward with Russia and our other treaty partners.

Finally, differences remain on missile defense. As President Obama has stated, the United States is committed to finding the right approach to enable missile defense cooperation with Russia. A U.S.-Russia agreement to cooperate on missile defense would remove a major irritant from the relationship. We continue to believe that cooperation with Russia on missile defense can enhance the security of the United States, our allies in Europe, and Russia. If confirmed, I will assist the Secretary and Under Secretary of Defense for Policy in working with Russia to define the parameters of possible cooperation.

*Question.* In your view, what policy steps should DOD take to improve security relations with Russia? For instance, would you support increased military-to-military relations and exchanges with Russia?

Answer. DOD has been a proponent and a beneficiary of the reset with Russia. The OSD–MOD Defense Relations Working Group and the Joint Staff-General Staff Military Cooperation Working Group revived U.S.-Russia defense and military relations from the low-point after the Russo-Georgia War.

As a result, DOD has a robust military-to-military work plan and is constantly looking for ways to improve the relationship and contribute to greater security in the Euro-Atlantic space. The 2012 Military Cooperation Work Plan includes more than 100 events and comprises a variety of activities such as cadet exchanges, exercises, senior leader visits, and conferences. Over time, cooperation on a wide range of issues may help to build a foundation for more concrete and substantive cooperation with Russia.

One way to improve cooperation would be a U.S.-Russia agreement to cooperate on missile defense. Such an agreement would remove a major irritant from the relationship, send a strong signal to Iran that development of long-range ballistic missiles and nuclear weapons would be a waste of resources, add to the effectiveness of our missile defense system, and could help recast perceptions U.S.-Russia relations on both sides.

*Question.* Would you support any joint development or other programs with Russia?

Answer. If confirmed, I would be interested in supporting joint programs that would benefit the United States. Through the Defense Technology Cooperation Subworking Group under the Defense Relations Working Group, DOD has been looking for such opportunities. Before undertaking any joint programs, the United States and Russia would need to conclude a Defense Technology Cooperation Agreement, which has been in negotiation for some time.

IRAN

*Question.* The President said: "America is determined to prevent Iran from getting a nuclear weapon, and I will take no option off the table to achieve that goal."

Do you agree that we should leave all options on the table with respect to Iran? If so, why? If not, why not?

Answer. Yes, I agree with the President that all options should remain on the table to address Iran's illicit activities. It is DOD's responsibility to plan for all contingencies, and through prudent military planning we continue to refine options to protect U.S. and partner interests from Iranian aggression. However, we continue to believe that diplomacy and economic pressure are the most effective tools for changing Iranian behavior at this time.

*Question.* In your view, what should be the role of DOD for advancing the President's policy with respect to Iran?

Answer. DOD plays a supporting role in the whole-of-government strategy of engagement and pressure toward Iran, which is led by the Departments of State and Treasury. In addition to DOD's support of interagency efforts, it is the responsibility of DOD to plan for all contingencies, and to provide the President with a wide range of military options should they become necessary.

CHINA

*Question.* China's defense spending has had double-digit increases annually for about the past 20 years. While a certain amount of military growth is to be expected for a country experiencing the kind of economic growth that China has had over about that same period, the types of platforms and capabilities China is developing have been interpreted by some as designed to project power, limit freedom of movement by potential adversaries, and conduct military operations at increasing distances. Such developments, coupled with strident rhetoric and a lack of transparency, stoke growing concerns about China's intentions in the region.

How would you characterize the current U.S. relationship with China?

Answer. The senior-most leaders of our two countries have consistently affirmed the need for a positive, cooperative, and comprehensive U.S.-China relationship. I would describe the relationship as simultaneously possessing elements of cooperation and competition. The United States, including DOD, continues to pursue opportunities to cooperate where there is a mutual benefit, while pursuing frank discussions in areas where we may have differences.

*Question.* What do you believe are the objectives of China's steady increase in defense spending and its overall military modernization program?

Answer. China appears to be building the capability to fight and win short-duration, high-intensity conflicts along its periphery, and also to counter intervention by third parties. Its near-term focus appears to be on preparing for potential contingencies involving Taiwan, and deterring or denying effective intervention in a cross-Strait conflict. Its modernization efforts emphasize anti-access/area denial capabilities. China is also devoting increasing attention and resources to conducting operations beyond Taiwan and China's immediate periphery. China's growing focus on military missions other than war includes humanitarian assistance, non-combat evacuation operations, and counter-piracy support. Lastly, China is strengthening its nuclear deterrent and enhancing its strategic strike capabilities through the modernization of its nuclear forces, and is improving other strategic capabilities, such as in space, counter-space, and computer network operations.

*Question.* How should the United States respond to this Chinese military growth and modernization?

Answer. I believe the United States should continue to monitor developments in China's military concepts and capabilities, while encouraging Beijing to be more transparent about its military and security affairs. The United States has been and should remain the pivotal military power in the Asia-Pacific region in order to preserve the conditions that have fostered peace and prosperity. The U.S. response to China's military modernization should be flexible and supported by the continued transformation of our force posture in the Asia-Pacific region, the maintenance of our global presence and access, the modernization of our own capabilities in such areas as countering anti-access/area denial, and the strengthening of our alliances and partnerships.

*Question.* What is your assessment of the current state of U.S.-China military-to-military relations?

Answer. As Secretary of Defense Panetta and China's Vice President Xi affirmed in February, a healthy, stable, and reliable military-to-military relationship is an essential part of President Obama's and President Hu's shared vision for building a cooperative partnership.

I believe we should continue to use military engagement with China as one of several means to demonstrate U.S. commitment to the security of the Asia-Pacific region, to encourage China to play a constructive role in the region to discuss the peacetime interaction of our respective military forces so as to minimize the risk of accidents, and to press China to partner with the United States and our Asian allies and partners in addressing common security challenges.

*Question.* Do you believe that the United States should make any changes in the quality or quantity of our military relations with China? If so, what changes and why?

Answer. I believe that military exchanges with China can be valuable, but can only truly work if China is equally committed to open and regular exchanges. If confirmed, I would look for ways to deepen and enhance our military-to-military relationship with China, and to encourage China to act responsibly both regionally and globally.

*Question.* By most accounts, China has become more assertive in its claims of sovereignty in various domains, including maritime, air, and space. There are numerous examples of this assertiveness, but one in particular is China's increased aggressiveness in asserting its excessive maritime claims in the South China Sea.

What role should the United States play in the ongoing maritime disputes in the South China Sea?

Answer. The United States is a Pacific nation with a national interest in freedom of navigation and overflight, open access to Asia's maritime domain, the maintenance of peace and stability, free and open commerce, and respect for international law, including in the South China Sea.

In my view, the United States should not take a position on the competing territorial claims over land features in the South China Sea; all parties should resolve their disputes through peaceful means and in accordance with international law, without resorting to the threat or use of force.

The United States should continue to call upon all parties to clarify their claims in the South China Sea in terms consistent with international law. Accordingly, claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features.

*Question.* How does the presence of the U.S. Navy in the South China Sea influence this maritime dispute and, in your view, would an increase in U.S. activity in that region serve to stabilize or destabilize the situation?

Answer. The U.S. Navy is a key provider of the military presence that underlies peace and stability across the globe, including in the South China Sea. I believe it is essential for the U.S. Navy to maintain its presence and assert our freedom of

navigation and overflight rights in the South China Sea in accordance with customary international law.

Preservation of the rights, freedoms, and uses of the sea depend largely upon their continual exercise. Around the world, U.S. military forces conduct operations to challenge excessive maritime claims asserted by coastal states. In the South China Sea, we have expressed our desire for respect for freedom of navigation and overflight for many decades, through operational assertions against excessive maritime claims asserted by several nations. Of note, we challenge excessive maritime claims asserted by any nation, including excessive claims by allies and partners.

*Question.* Cyber space has become a critical realm for civilian and military applications and, as a result, it represents a potentially substantial vulnerability. There are reports that China is aggressively pursuing cyber warfare capabilities, and would likely seek to take advantage of U.S. dependence on cyber space in the event of a potential conflict situation.

If confirmed, what would you do to help ensure our military is protected in cyber space and prepared to defend against a cyber attack?

Answer. If confirmed, I would work with other parts of DOD and the U.S. Government, including the Departments of State, Homeland Security, and Commerce, to facilitate a coordinated approach to cyber threats, not only from China, but from others as well. We must work together as governments not only to defend, but also to develop options to respond to and impose costs on cyber threat actors so as to deter future exploitation and attack. The President stated in his International Strategy for Cyberspace that the United States reserves the right to use all necessary means—diplomatic, informational, military, and economic—as appropriate and consistent with applicable international law—in order to defend our Nation, our allies, our partners, and our interests against hostile acts on cyberspace. In my view, we should continue to prepare to do so as necessary, while continuing to strengthen international norms of behavior regarding this essential area.

NORTH KOREA

*Question.* Even with the recent death of long-time leader Kim Jong-il, North Korea remains one of the greatest near-term challenges to security and stability in Asia, and deterring conflict on the Korean Peninsula remains a top priority. On April 12, 2012, North Korea launched what it said was satellite launch vehicle, despite broad international condemnation and in contravention of U.N. Security Council resolutions 1718 and 1874.

Despite the failure of the April 12th launch, what do you see as the implications for regional security and stability of North Korea's continued refusal to curb its provocative behavior?

Answer. North Korea's April 12 missile test will not be its last. Not only the United States, but every country in the region recognizes that such actions, in contravention of U.N. Security Council resolutions 1718 and 1874, pose a threat to regional stability. If confirmed, I will assist the Secretary and Under Secretary of Defense for Policy in working closely with our allies and partners to strengthen security cooperation and ensure optimal readiness against North Korea's unpredictable and reckless behavior.

*Question.* What is your understanding of the threats posed to the United States and our allies by North Korea's ballistic missile and WMD capabilities?

Answer. North Korea's missile and WMD programs pose a direct and serious threat to our regional allies and partners, and have the potential to become a direct threat to U.S. territory. As we witnessed in 2006 and 2009, North Korea continues to flight-test theater ballistic missiles, demonstrating the capability to target South Korea and Japan. North Korea also continues to develop the Taepo Dong-2 (TD–2), which Pyongyang claims to have tested in a space launch configuration, but which could also reach the United States if developed as an intercontinental ballistic missile (ICBM).

The United States must continue to monitor carefully North Korea's WMD and missile development programs and related proliferation activities. If confirmed, I would work to ensure that DOD continues to work closely with other parts of the U.S. Government to address these and other emerging threats, to reduce our vulnerabilities and those of our allies and partners, and to work cooperatively with our allies to ensure our contingency planning remains adaptive and responsive.

*Question.* What concerns you most about North Korea and, if confirmed, what would you do to address those concerns?

Answer. North Korea maintains a large, forward deployed conventional military, continues to develop long-range ballistic missiles, seeks to develop nuclear weapons, and engages in the proliferation of ballistic missiles contrary to international norms

and U.N. Security Council resolutions. North Korea has also conducted provocative attacks against the Republic of Korea. What concerns me most is that this range of threats comes from a single state standing on the outside of the international community. If confirmed, I will ensure that we sustain and advance our military readiness and coordination with allies and partners, and explore all avenues for shaping North Korean behavior.

REPUBLIC OF KOREA

*Question.* What is your understanding of the current status of the U.S.-South Korean security relationship?

Answer. In my view, the U.S.-Republic of Korea (ROK) alliance remains one of the cornerstones of U.S. strategy in the Asia-Pacific region and is as strong and viable today as it has ever been. Our security relationship is based on a mutual commitment to common interests, shared values, continuous dialogue, and combined planning, all of which ensure a comprehensive strategic alliance.

*Question.* What is your view regarding the timing of the transfer of wartime operational control from the United States to South Korea, now planned for December 2015, and what will you do to ensure this transition takes place as planned?

Answer. The United States and the ROK have a comprehensive way forward to transition wartime operational control from the ROK–U.S. Combined Forces Command to the ROK Joint Chiefs of Staff by December 2015. If confirmed, I would assist the Secretary of Defense and Under Secretary of Defense for Policy in working with ROK counterparts, and with others in the U.S. and ROK Governments, to complete this process under the Strategic Alliance 2015 framework and ensure that the combined defense posture remains strong and seamless throughout the transition process.

*Question.* What is your assessment of the security benefits of the force repositioning agreed to under the Land Partnership Plan and the Yongsan Relocation Plan and how does repositioning U.S. Forces change the way they will operate on the Korean Peninsula?

Answer. The two plans work to consolidate and relocate U.S. Forces from north of Seoul and from the Seoul Metropolitan area to locations south of Seoul, primarily U.S. Army Garrison Humphreys and Daegu. The movement of units and facilities to areas south of the Han River provides efficiencies, reduces costs, contributes to the political sustainability of our forward presence, and improves force protection and survivability by placing the majority of personnel and equipment outside of the tactical effective range of North Korean artillery.

*Question.* Since the North Korean attacks last year—the sinking of the South Korea Navy ship *Cheonan* and the artillery attack on the South Korean island—South Korea has been adamant that it will responded firmly to the next such provocation. A main topic during recent U.S.-ROK Security Consultative Meetings was the Joint Operational Plan for responding to future North Korean provocations.

What is your understanding of the U.S. obligations in the event of an attack on South Korea by North Korea, and under what circumstances do you believe the U.S. Armed Forces should be committed to engage North Korean forces in response to an attack on South Korea?

Answer. My understanding is that, under the Mutual Defense Treaty, when the political independence or security of the ROK or the United States is threatened by external armed attack, the United States and the ROK will consult together and develop appropriate means to deter the attack. Given the pattern and future likelihood of North Korean provocations, the two sides should continue to consult closely so that responses are effective.

JAPAN

*Question.* How would you characterize the U.S.-Japan security relationship?

Answer. The U.S.-Japan relationship is the cornerstone of security in East Asia. Japan is a valued ally and anchor of democracy and prosperity in the region. Our alliance has held fast through the turbulence of the post-Cold War, political turnover in Japan, and at times contentious trade disputes, and now stands poised as a truly global alliance. The United States and Japan are in the middle of a complicated realignment process that is part of a larger alliance transformation agenda that also includes a review of roles, missions, and capabilities to strengthen and ensure the relevance, capability, and cohesiveness of the alliance for the next several decades. In terms of our military-to-military relationship, the shared experience of U.S. and Japanese forces, working shoulder-to-shoulder in response to the earthquake, tsunami, and nuclear crisis of last spring, validated our continuing close cooperation and mutual respect.

*Question.* What steps, if any, do you believe Japan ought to take to become a more active partner in security activities with the United States and in the international security arena?

Answer. Japan is already a close ally and strong security partner with the United States, and is increasingly contributing to international security activities; however, the changing security environment in Asia will present new challenges. The United States needs to continue to work with Japan to deal with these challenges, including greater interoperability between our Armed Forces at the strategic, operational, and tactical levels. If confirmed, I would encourage Japan's development of joint doctrine and organizations that will enhance Japan's ability to undertake complex missions to build security in East Asia. I would also encourage trilateral security cooperation with the United States, Japan, and both the ROK and Australia, as these kinds of activities effectively strengthen the functional capacity of the emerging regional security architecture. Regarding international security activity, Japan has actively participated in combined counter-piracy operations in the Gulf of Aden, is participating in the U.N. Mission in South Sudan, and has been a significant donor to ongoing Afghanistan reconstruction. I believe participation in such international security operations are very positive developments, and would encourage future Japanese participation in such missions.

*Question.* The United States and Japan have decided to revisit some of the terms of the 2006 Roadmap Agreement as they relate to the realignment of U.S. marines on Okinawa and to delink the movement of marines off Okinawa from the plan to build a Futenma Replacement Facility (FRF) at Camp Schwab. It appears that, while the number of marines leaving Okinawa will not change, fewer will be relocated to Guam.

What is your understanding of the current plans for U.S. military forces on Okinawa and Guam?

Answer. Plans for U.S. military forces on Okinawa and Guam should result in a force posture that is geographically distributed, operationally resilient, and politically sustainable. A significant number of U.S. Marine Corps forces will move from Okinawa to Guam, which is a strategic hub that supports our ability to operate forces from a forward location. At the same time, we will maintain forces in Okinawa to provide deterrence and rapidly respond to security challenges in areas around Japan.

Although planned posture shifts will result in a rebalancing of our forces, they will not negatively affect our ability to respond to contingencies or meet treaty obligations in Asia. They demonstrate our commitment to allies and to fulfilling our agreements with allies and partners.

*Question.* How does delinking the movement of marines off Okinawa from the construction of the FRF impact the realignment of marines in Northeast Asia?

Answer. Delinking the movement of U.S. marines off Okinawa will allow the United States to move forward with the realignment of the Marine Corps in Northeast Asia, which is in our strategic interests as we seek to rebalance toward the Asia-Pacific region. Specifically, de-linkage will allow the United States to establish a force posture that is geographically distributed, operationally resilient, and politically sustainable.

The United States and Japan remain committed to constructing the FRF as the only viable alternative to Marine Corps Air Station Futenma, and are working together in taking the next step prior to the start of construction: securing the Governor's approval for the landfill permit.

*Question.* What is your opinion of the prospects for the successful construction of the FRF at Camp Schwab on Okinawa?

Answer. I believe that the Government of Japan (GOJ), like the U.S. Government, remains committed to the principles of the 2006 Realignment Roadmap, and although both governments have acknowledged that the FRF will not be constructed by 2014, as originally planned, there appears to be incremental but positive movement towards the construction of a replacement facility at Camp Schwab. The GOJ submission of the environmental impact statement to the prefectural Government of Okinawa in December 2011 was a necessary and politically significant step forward. The U.S. Government is committed to working with the GOJ in taking the next step prior to the start of construction—securing the Governor's approval for the landfill permit.

*Question.* If confirmed, how would you work with the Commander, Pacific Command, and the Military Services to update U.S. military force posture in Japan and the Pacific theater?

Answer. If confirmed, I would engage frequently and proactively with the Commander, U.S. Pacific Command, and the Military Departments, as well as the Chairman and Vice Chairman of the Joint Chiefs of Staff, to update U.S. force posture

in Japan and the Pacific. I firmly believe that maintaining a strong and comprehensive relationship with my military counterparts is essential to creating a force posture that makes sense both strategically and operationally.

INDIA

*Question.* What is your view of the current state of U.S.-India security relations?

Answer. Today, U.S.-India defense ties are strong and growing, including a robust slate of dialogues, military exercises, defense trade, personnel exchanges, and armaments cooperation. The strong ties between our two militaries reflect this. Over the past decade, there has been a rapid transformation in the U.S.-India defense relationship. What was once a nascent relationship between unfamiliar nations has evolved into a strategic partnership between two of the preeminent security powers in Asia.

A close, continuing, and expanding security relationship between the United States and India will be important for security and stability in Asia and for effectively managing Indian Ocean security in the 21st century. Having said this, India has a long history of non-alignment and is firmly committed to its policy of strategic autonomy. The continued growth of our partnership should be focused on working closely on common interests in a true partnership.

*Question.* If confirmed, what specific priorities would you establish for this relationship?

Answer. If confirmed, I believe our priorities for this relationship should focus on increasing maritime security cooperation, expanding the military-to-military relationship, and deepening cooperation on defense trade, including cooperative research and development. There is potential for increased cooperation on counterproliferation, collaboration on humanitarian assistance and disaster response, countering piracy, cooperation on counterterrorism, greater intelligence sharing on common threats, and working towards stability in Afghanistan and the broader Indian Ocean region.

*Question.* What is your assessment of the current relationship between India and Pakistan?

Answer. India and Pakistan have a long and complex history characterized by animosity, mistrust, and conflict. Support by elements of Pakistan's military and intelligence services for violent extremist organizations targeting India has the potential to result in military confrontation that could rapidly escalate to a nuclear exchange.

Current efforts toward a renewed comprehensive dialogue have yielded few concrete results on the core security issues, especially regarding the resolution of territorial disputes; however, the efforts have increased people-to-people exchanges and trade relations between the two nations, and have provided each side greater insight into the other's positions. Although progress is slow, the trajectory is positive and offers the promise of increased confidence-building measures.

*Question.* In your view, what impact has the ongoing tension between Pakistan and India had on the stability of Central and South Asia generally, and on the prospects for lasting security in Afghanistan?

Answer. India's actions in South and Central Asia generally align with U.S. goals: increasing economic growth and political stability through strengthened democratic institutions, and developmental assistance to help prevent radicalization. Regional stability ultimately depends on cooperation among India, Pakistan, and Afghanistan. Transparency in the India-Afghanistan and Pakistan-Afghanistan bilateral relationships is critical to reduce misunderstanding and mistrust between India and Pakistan. The ongoing transition of lead responsibility for security in Afghanistan to Afghan forces, and the strategic partnerships Afghanistan has been negotiating with the United States and other international partners are important steps toward demonstrating long-term commitment of the international community, addressing conditions that create uncertainty, and stabilizing the region.

*Question.* What effect, if any, do you anticipate that India's successful test launch of the Agni V rocket on April 19, 2012, will have on India-U.S. relations?

Answer. India's successful test launch of the Agni V rocket demonstrates that India is increasingly capable of developing its indigenous weapons systems and has a role to play in international nonproliferation forums. India has a strong track record on nonproliferation issues, both of missile and WMD technology. We continue to urge all nuclear-capable states to exercise restraint regarding nuclear and missile capabilities, and continue to discourage actions that might destabilize the South Asia region.

REPUBLIC OF THE PHILIPPINES

*Question.* What is the current state of U.S.-Philippine military-to-military relations, including efforts to increase the number of rotational U.S. Forces operating from the Philippines?

Answer. The Philippines is one of the United States' five treaty allies in the Pacific and remains a committed security partner facing regional challenges characteristic of current geo-strategic realities. In my view, the alliance is strong and is the foundation of our security partnership. The U.S. military-to-military engagement with the Philippines is mature and focused, allowing the Philippines security forces (military, coast guard, and police) to address security needs more effectively as evidenced by enhanced counterterrorism performance, expanded maritime security activities, increased multilateral engagement, and effective participation in U.N. peacekeeping operations.

*Question.* What is your assessment of recent U.S. military efforts in the Philippines and the effectiveness of the U.S. assistance being provided to the Philippine military in its fight against insurgent groups?

Answer. U.S. military efforts and assistance in the Philippines are in support of the U.S.-Philippines Mutual Defense Treaty to which both sides are committed. The United States, however, does not assist the Philippines in its fight against insurgent groups (e.g., the New People's Army and the Moro Islamic Liberation Front). The Philippines was the first country in Asia to support the United States after September 11 in fighting terrorism. In this regard, U.S. military assistance is focused on helping the Philippines fight terrorism by assisting with the development of skill sets that are no different than those needed to help and protect its civilian population. It is the Philippine Government's prerogative to assert its capabilities and resources where needed in conducting its internal security operations.

*Question.* Do you anticipate a reduced or increased U.S. military footprint or change in mission for U.S. military forces in the Philippines in the near- to mid-term?

Answer. The United States and the Philippines are discussing arrangements that would allow greater flexibility for U.S. and Philippine security forces to train and work together. This may increase U.S. military engagement with the Philippines in the near- to mid-term.

INDONESIA

*Question.* What is the current state of military-to-military relations with Indonesia and, specifically, Kopassus?

Answer. In 2010, Presidents Obama and Yudhoyono inaugurated the U.S.-Indonesian Comprehensive Partnership. A key element of this broad partnership is the security component. Our defense relationship with Indonesia—a pivotal country to U.S. national interests—is managed through the Defense Framework Arrangement and facilitated through several forums and mechanisms. Our military-to-military relations with Indonesia are robust and continue to progress and mature, with nearly 200 theater security cooperation activities scheduled for this fiscal year. These security cooperation engagements include a wide range of activities focused on four main areas of emphasis: Humanitarian Assistance/Disaster Relief; Peacekeeping Operations; Maritime Security; and continued Professionalization/Reform of the Indonesian Defense Forces (TNI). Beginning with the normalization of the military-to-military relationship in 2005, engagements have increased in number and evolved from initial small-scale bilateral exchanges into more complex bilateral and multilateral activities.

In addressing the current state of military-to-military relations with the Indonesian Army Special Forces (Kopassus), it is worth noting that this unit has undergone a near-complete transformation over the past decade and is at the forefront of TNI professionalization and adherence to human rights standards. Following a 12-year hiatus in bilateral activities, at the direction of then-Secretary Gates, U.S. Pacific Command established a measured and gradual program of security cooperation activities with Kopassus. These security cooperation activities have consisted of key leader engagements and small-scale subject matter expert exchanges in areas such as military decisionmaking, medical planning, law of war, and safeguarding human rights. I anticipate that these types of activities will continue and gradually expand at a pace commensurate with the demonstrated progress in TNI transparency and reform efforts. Chief among these reform efforts are the fulfillment of commitments made by Indonesian leaders to DOD in 2010 to continue to safeguard human rights and accountability throughout the Indonesian military through the unequivocal investigation and prosecution of those military personnel accused of human rights abuses and, if convicted, their removal from military service.

*Question.* Do you favor increased U.S.-Indonesian military-to-military contacts? If so, under what conditions? Why?

Answer. If confirmed, I would support increased military-to-military contact within the context of the Comprehensive Partnership, guided by close consultation between the Departments of State and Defense, and within the boundaries of existing legal mechanisms. I believe close military-to-military relations with Indonesia are integral to achieving numerous stated U.S. national interests in the region. I also believe that one of the most effective methods for encouraging reform is through interaction between Indonesian and U.S. servicemembers. Interactions with U.S. servicemembers reinforce professional military practices, including respect for human rights and the rule of law. Increased interactions facilitate greater understanding and reinforce professional values.

GLOBAL FORCE POSTURE

*Question.* As the Defense Department continues its assessment of projected budget cuts on its end strength, force structure, and other programs, it must also consider the costs, benefits, and risks associated with the permanent stationing of military forces in countries around the world. Based on a series of reports by the Government Accountability Office, evidence indicates that the Department is challenged in its ability to comprehensively and reliably estimate the cost of our global defense posture.

What is your understanding and assessment of the cost and benefits of the U.S. global defense posture and the stationing of U.S. military forces overseas?

Answer. There is high value in U.S. military presence overseas. The United States maintains a posture overseas in order to defend the U.S. Homeland and U.S. interests—which are global in nature—as well as to deter aggression, ensure regional stability, demonstrate commitment to the security of allies and partners, and facilitate working alongside allies and partners to address security challenges. There is a clear value in deterrence, assurance, and rapid crisis response, though these benefits are often difficult to quantify precisely.

Sustaining U.S. military presence using forces stationed in the United States incurs rotational costs on top of the basic basing and facilities costs associated with every unit, regardless of where it is stationed. Conversely, sustaining this presence using forces stationed overseas often incurs higher basing, personnel (through allowances such as Cost of Living Allowance and Overseas Housing Allowance), and facilities costs. The Department employs a continuous review process to determine the appropriate balance between U.S.-based and overseas-stationed forces, taking account of the conditions in each region and the operational demands on U.S. Forces.

*Question.* In light of the force structure reductions associated with the Department's planned end strength cuts, and potentially even deeper future end strength cuts, if confirmed, how would you propose to allocate those reductions between forces based within the United States and forces stationed outside of the United States?

Answer. Our plans for global force presence are directly linked to our Defense Strategic Guidance. The Department employs a continuous review process to determine the appropriate balance between U.S.-based and overseas-stationed forces, taking account of the conditions in each region and the operational demands on U.S. Forces. If deeper end strength reductions are required by Congress, our current defense strategy, and our associated global posture, will need to be reviewed.

*Question.* What is your understanding and assessment of the DOD methodology and assumptions used to evaluate the relative cost of overseas posture compared to stationing forces in the United States?

Answer. The Department employs a continuous review process to determine whether our strategic and national interests are best served by U.S.-based or overseas-stationed forces. Considerations include: operational requirements articulated by the geographic and functional combatant commanders, consistent with current strategy and assigned missions; the political-military dynamics and the risks and implications of change; force management and force structure efficiencies and effects; issues relating to the executability of stationing; and costs, including the offsets provided by some host-nation governments. The Department believes there is a high value provided by maintaining forces forward; further, stationing forces forward can yield significant efficiencies in force structure and force management.

*Question.* If confirmed, what actions would you take or changes would you recommend, if any, to DOD's methodology and assumptions in determining the cost of overseas force posture compared to forces stationed in the United States?

Answer. Working with Congress and the Government Accountability Office over the past several years, the Department has improved its global defense posture

management process, which is now on a strong, positive trajectory. In particular, the Department has made significant improvements to the theater posture planning and decision-making process, including enhanced cost reporting and improved consideration of costs. If confirmed, I would endeavor to keep DOD on this positive trajectory and ensure continuation of improved cost accountability in our overseas posture decisionmaking.

COMBATTING TERRORISM

*Question.* The administration recently released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked groups "that continue to emerge from beyond its core safe haven in South Asia."

If confirmed, what would be your role within DOD with respect to combating terrorism?

Answer. If confirmed, I would be the Deputy Principal Staff Assistant and Advisor to the Secretary of Defense for all matters concerning the formulation of national security and defense policy, including counterterrorism policy. My role, if confirmed, would be to formulate, coordinate, and present the views of the Secretary on counterterrorism policy issues. Currently these are mainly oriented on the effort to disrupt, dismantle, and defeat al Qaeda, which includes operations and activities against its allies, adherents, and affiliates, but we also recognize that there are other terrorist groups that may seek to cause harm to the United States, its interests, and allies.

I would work closely in performance of these duties with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Intelligence, the DOD General Counsel, the Joint Staff, and the regional and functional Assistant Secretaries in the Office of the Under Secretary of Defense for Policy, particularly the Assistant Secretary for Special Operations and Low-Intensity Conflict, who has the Department lead for all special operations and low-intensity conflict matters. I would carefully consider the views of our interagency colleagues and international partners to consider whole-of-government solutions to counterterrorism problems.

On September 22, 2011, Secretary of State Hillary Clinton launched the Global Counterterrorism Forum (GCTF) with 30 founding members from around the world. The GCTF is a major initiative within the Obama administration's broader effort to build the international architecture for dealing with terrorism. The primary focus of the GCTF is capacity building in relevant areas and aims to increase the number of countries capable of dealing with the terrorist threats within their borders and regions.

*Question.* What is your understanding of this initiative?

Answer. The GCTF is a multilateral platform that will provide a venue for countries to meet and identify counterterrorism needs and mobilize the necessary expertise and resources to address such needs and enhance global cooperation. The GCTF is intended to complement ongoing efforts with the U.N., as well as other regional and sub-regional bodies. I understand that the September launch of the GCTF was positively received by all of the countries involved.

*Question.* Given the emphasis on building partner capacity, what is your understanding for the role of DOD—and in particular Special Operations Forces—in this initiative?

Answer. Special Operations Forces will continue to have a leading role in our operations and activities to defeat al Qaeda. The Department is prepared to sustain a significant number of deployed SOF around the world, working closely with allies and partners to develop the capabilities and capacities they need to rid their territories of terrorists and prevent their resurgence. The Department sees this as predominantly an advise-and-assist mission, but the United States should always reserve the right to take direct action in order to defend itself from a terrorist attack.

The defeat of al Qaeda cannot be achieved without bringing together the expertise and resources of the entire U.S. Government—intelligence, law enforcement, military, and other instruments of national power—in a coordinated and synchronized manner. If confirmed, I would seek strong relationships with DOD's interagency partners—in particular, the National Counterterrorism Center, the State Department's Office of the Coordinator for Counterterrorism, and the Center for Strategic Counterterrorism Communications—to maximize DOD's efforts to counter violent extremism. The GCTF, as a State Department-led effort, is one example where SOF's counterterrorism and security cooperation activities can support and inform interagency partners' efforts in counterterrorism.

DEPARTMENT OF DEFENSE COUNTERNARCOTICS ACTIVITIES

*Question.* On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support U.S. CN operations, build the capacity of certain foreign governments around the globe, and analyze intelligence on CN-related matters.

What is your understanding and assessment of the DOD CN program?

Answer. Drug trafficking and associated transnational organized crime (TOC) pose multidimensional challenges to U.S. and international security interests. In addition to the impact on our Nation's public health and economy, drug trafficking and other forms of TOC provide a funding source for terrorists and insurgents, undermine legitimate governments, and contribute to international instability.

DOD counternarcotics efforts support global DOD national security objectives by building partner nation capacity and working with U.S. law enforcement agencies such as the Drug Enforcement Agency, Customs and Border Protection, Federal Bureau of Investigation, and Immigration and Customs Enforcement to disrupt narcotics trafficking. These cost-effective, small-footprint efforts are consistent with the Department's January 2012 strategic guidance.

Terrorist groups and insurgent movements are increasingly turning to criminality—including narcotics and other illicit trafficking—to perpetuate and expand their activities. This is certainly the case in Colombia and Afghanistan. In Afghanistan, the insurgency uses the narcotics trade as a critical source of revenue, and therefore, DOD focuses its efforts on degrading narco-insurgent networks through sustained counternarcotics operations and building the capacity of Afghan counternarcotics forces and judicial system. If confirmed, I would continue to work with interagency partners to provide support to counternarcotics efforts in Afghanistan to mitigate or eliminate the narcotics threat, which endangers our objectives and undermines the viability of the Government of Afghanistan.

There is some evidence of criminal organizations, such as Mexico-based drug cartels, adopting terrorist tactics in their operations. Criminals and terrorists are also directly working together. We only need to look at the recent Iranian plot to assassinate the Saudi Arabian Ambassador in Washington by engaging the Los Zetas transnational criminal organization to see this trend. In different circumstances, the links between crime, terrorism, and insurgency may range from full integration, to occasional cooperation, to drawing on overlapping networks of money launderers, weapons providers, corrupt governmental officials, and other facilitators. Even when there is no direct nexus between drug trafficking, terrorism, and insurgency, these and related threats tend to feed on and worsen conditions of weak governance.

DOD provides critical training, equipment, infrastructure, information sharing, technology research and development, transportation, communications, analytical, reconnaissance, and related support to U.S. and foreign counterdrug law enforcement agencies and other security services. In doing so, DOD seeks to provide one element in wider whole-of-government strategies to reduce drug trafficking, build rule of law, extend effective governance, and stabilize endangered regions. Within the United States, DOD provides counternarcotics support primarily through the National Guard, but also provides other domestic law enforcement support in specialized areas. As a matter of law, DOD also has the lead responsibility in the U.S. Government for the detection and monitoring of aerial and maritime transit of illegal drugs into the United States. Even in this mission area, however, DOD cooperates with U.S. and foreign partners.

*Question.* What is your understanding of the Department's CN authorities?

Answer. Since the enactment of title 10, U.S.C. 124, in 1989 and section 1004 of the National Defense Authorization Act for Fiscal Year 1991, the Department's counternarcotics authorities have allowed the Department to provide critical support for U.S. and partner nation law enforcement efforts to confront drug trafficking into the United States. Today, these and subsequent counternarcotics authorities provide the Department with critical tools to confront the association and convergence of narcotics trafficking, terrorism, and related TOC, that pose a growing threat to our national security interests.

These authorities allow the Department to enhance the capabilities of State, local, tribal, Federal, and international law enforcement partners. The Department's counternarcotics authorities support the National Guard's counterdrug activities in 54 States and territories and the theater campaign plans of all six geographic combatant commands. These authorities are often invaluable in achieving strategic national security objectives. If confirmed, I look forward to working with Congress to ensure that these authorities are sustained.

*Question.* Should the United States reassess ongoing efforts to combat the trafficking of illegal narcotics in the Western Hemisphere given the increasing concerns

of many of the nations in the hemisphere about the lack of results from the decades old war on drugs?

Answer. The U.S. Government, including DOD, consults closely with governments, policy experts, civil society leaders, international organizations, and others throughout the Western Hemisphere, to refine our combined efforts against illegal drug production, trafficking, and consumption. In this regard, we are working with the interagency to synchronize U.S. and partner country military, intelligence, law enforcement, prosecutorial, judicial, and penal efforts with public health, anti-corruption, economic development, financial regulation, and related activities to address weaknesses that transnational criminal organizations exploit and exacerbate. The United States and partner countries are also cooperating to ensure that counter-drug efforts are integrated with operations against related threats, such as weapons smuggling, money laundering, kidnapping, extortion, and in some places, terrorism and insurgency. The term "citizen security" is now widely used in the Western Hemisphere to signify that governments need to go beyond suppressing crime to provide justice and security to their populations. Defense Department counternarcotics efforts play a supporting role, but by no means the leading one.

All DOD international counternarcotics support is provided at the request of, and in close coordination with, the partner nation and the U.S. Embassy. DOD also plays a coordinating role, providing support to multinational efforts to exchange counternarcotics information and coordinating interagency and multinational interdiction efforts through Joint Interagency Task Force-South.

Colombia is one of the best examples of what can be achieved by sustained U.S. support for a partner country's efforts resulting in a real return on investment. Once facing a seemingly insurmountable narco-terrorist problem that threatened to overwhelm its legitimate government, the Colombian Government today clearly has the upper hand and is extending effective governance by working to resolve many of the social issues underlying that country's protracted conflict. Colombia still has a long way to go, but it has turned the corner. Narco-terrorist organizations and other transnational criminal organizations are, however, extremely flexible. As Colombia, the United States, Mexico, and other countries have put pressure on criminal organizations over time, the surviving groups have adapted by dispersing to places such as Central America, forming global illicit networks, and diversifying into other crimes. Therefore, our efforts must continue to be flexible to keep pace with this ever-evolving threat.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

*Question.* Transnational criminal organizations are having a debilitating impact on the ability of our foreign partners to govern their nations and provide opportunities for their people. Last July, President Obama released the first National Strategy to Combat Transnational Organized Crime. DOD is not a law enforcement agency, but it does bring unique enabling capabilities to our Nation's Federal law enforcement agencies.

What role, if any, should DOD play in combating transnational criminal organizations?

Answer. The President's Strategy to Combat Transnational Organized Crime declares that TOC "poses a significant threat to national and international security." The Strategy calls for the U.S. Government to "build, balance, and integrate the tools of American power to combat TOC". This direction—to take a whole-of-government approach to combating a national security threat—includes an important role for DOD. I believe that DOD should continue to focus on delivering unique capabilities to support law enforcement agencies that are combating TOC.

Specifically, I believe that DOD should continue to provide military intelligence support to law enforcement, counter-threat finance support, and military-to-military capability development. When appropriate (e.g. in theaters of conflict), DOD may take the lead in operational activities against specific transnational criminal threats to the United States. As the President's Strategy notes, TOC "presents sophisticated and multifaceted threats that cannot be addressed through law enforcement action alone." DOD's capabilities and authorities are thus critical supporting tools to broader U.S. Government efforts against TOC.

The President's strategy also directs DOD to enhance "support to U.S. law enforcement through the Narcotics and Transnational Crime Support Center," a dedicated DOD-led center that integrates military, intelligence, and law enforcement analytic capabilities to go after key nodes in global criminal networks. This guidance further reflects the added value that the Defense Department brings to whole-of-government efforts against TOC.

DOD should also consider how it can play a role in breaking the links among criminal organizations, terrorists, and insurgencies. As the President's strategy states, "terrorists and insurgents are increasingly turning to TOC to generate funding and acquiring logistical support to carry out their violent acts". As the Department continues with its counterterrorism efforts around the world, it will be important to account for the links between criminal and terrorist entities.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

*Question.* The United Nations Convention on the Law of the Sea (UNCLOS) is currently pending in the Senate.

What are your views on U.S. accession to UNCLOS?

Answer. I strongly support U.S. accession to the 1982 Law of the Sea Convention.

*Question.* From a national security standpoint, what do you see as the advantages and disadvantages to being a party to UNCLOS?

Answer. I do not believe there are any national security disadvantages to the United States becoming a treaty party, and there are numerous advantages. As a treaty party, the United States could best preserve the navigational freedoms enshrined in the convention and not have to rely on customary international law, which is subject to change based on state practice. In turn, this could allow us to influence the development and interpretation of the convention, reflective of our status as the world's premier maritime power.

*Question.* What is your understanding of the principal arguments against ratifying UNCLOS, and what is your response to those arguments?

Answer. From what I understand, there are a range of arguments against accession, including that the United States would surrender a portion of its sovereignty. Simply stated, this is a flawed argument. As a treaty party, we can reinforce our navigational freedoms—key to our global power projection capabilities and access.

CYBERSPACE

*Question.* What is your understanding of the role of the Office of the Under Secretary of Defense for Policy in the development of policy and strategy for military operations in cyberspace and in exercising oversight of U.S. Cyber Command and the National Security Agency?

Answer. The Office of the Under Secretary of Defense for Policy (OUSD(P)) advises the Secretary of Defense on the formulation of DOD cyberspace policy and strategy, including development and oversight of DOD policy and plans to achieve national security objectives in and through cyberspace. OUSD(P), through the Joint Staff, works closely with U.S. Strategic Command and U.S. Cyber Command on cyberspace strategy and policy, contingency planning, and policy oversight of cyberspace operations. A close partnership with the Office of the Under Secretary of Defense for Intelligence and the National Security Agency ensures that policy formulation and execution are well informed and supported by their cyber capabilities and expertise.

*Question.* In the cyberspace domain, for each of the mission areas of cyber network defense, cyber network exploitation, and cyber network attack, what is your understanding of the relationship between the Office of the Under Secretary of Defense for Policy and each of the following: the Chief Information Officer; the Under Secretary of Defense for Acquisition, Technology, and Logistics; and the Under Secretary of Defense for Intelligence?

Answer. The OUSD(P) serves as the lead within DOD in the development, coordination, and operational oversight of overarching DOD strategy, policy, and planning related to cyberspace. The Chief Information Officer is the primary official responsible for policy matters and oversight of Information Resources Management, Information Technology, Information Assurance, and network operations. The Under Secretary of Defense for Acquisition, Technology, and Logistics advises the Secretary on cyberspace matters relating to the DOD Acquisition System; research and development; modeling and simulation; systems engineering; advanced technology; developmental test and evaluation; production; and systems integration. The Under Secretary of Defense for Intelligence advises the Secretary on cyberspace intelligence, counterintelligence, security, and other intelligence-related matters.

*Question.* What is your assessment of the maturity and adequacy of policy and doctrine governing defensive, offensive, and intelligence-gathering operations in cyberspace, both within DOD and the interagency? What gaps or deficiencies remain, in your view?

Answer. DOD continues to assess organizational relationships, doctrine, and policies necessary for its cyberspace mission. As it continues to develop cyber capabilities, DOD is addressing cyber governance in general by refining doctrine, training,

standing rules of engagement, and command and control structures for cyberspace operations. DOD continues to work closely with interagency partners to meet the cross-cutting challenges of cyberspace. DOD also supports the Cybersecurity Act of 2012 to provide for the development of risk-based standards for the critical infrastructure that the Department depends upon for its national security mission.

What is your assessment of the appropriate roles and responsibilities of DOD, vis-a-vis other Government agencies (such as the Department of Homeland Security, the Intelligence Community, and the Justice Department) and the private sector in preparing for, and the conduct of, the defense of government and critical infrastructure networks in cyberspace?

Answer. As stated in the DOD Strategy for Operating in Cyberspace, DOD is partnering closely with other U.S. Government departments and agencies, as well as the private sector, to enable a whole-of-government approach to cybersecurity. DOD works closely with Department of Homeland Security to protect U.S. critical infrastructure, the Intelligence Community to understand and counter cyber threats, and the Department of Justice to protect against cyber crime. DOD is working closely with Defense Industrial Base companies and Department of Homeland Security to protect DOD information, spur innovation, and increase the cybersecurity of the Nation as a whole. The protection of critical infrastructure from cyber threats is of particular importance to DOD. Development of risk-based standards and increased information sharing such as those included in the Cybersecurity Act of 2012 represent important advances in the ability of the Department and the Nation to secure government and critical infrastructure networks in cyberspace.

ILLICIT ARMS TRAFFICKING

*Question.* In July, governments of the world will gather at the U.N. to negotiate a global arms trade treaty intended to set global standards on the international transfer of conventional weapons.

What is your understanding of the problem of illicit arms trafficking and the role of the United States to deal with the problem?

Answer. The arms market is increasingly complex and global. Existing regional and national arms export control systems do not provide complete, global coverage. This creates gaps that are being exploited by illicit arms dealers. I believe that the United States should seek to negotiate a robust and effective arms trade treaty, which may close these gaps.

*Question.* In your view, to what extent, if at all, does the lack of national controls and enforcement on arms flows contribute to the illicit trafficking problem, and could efforts to respond to illicit trafficking be improved if other countries adopted and enforced national regulations on arms import, export, and transit similar to those of the United States?

Answer. An arms trade treaty would be a legally binding agreement that will require states to establish high national standards in controlling the export of conventional arms. Such norms should better regulate the global arms market to prevent weapons reaching the hands of terrorists, insurgents, and human rights abusers.

*Question.* Do you think an arms trade treaty, such as is being contemplated in the U.N., would enhance U.S. national security interests?

Answer. U.S. national security interests would be served by a treaty that increases international standards in different regions; includes major arms exporters such as Russia and China; reaffirms the right of self-defense and the legitimacy of arms transfers for security purposes; does not undermine existing nonproliferation and export control regimes; and is agreed through consensus.

*Question.* What is your view on whether or not the United States should be a party to this effort?

Answer. U.S. participation in the negotiations will help ensure the treaty establishes a high standard of international behavior that will ultimately reduce the proliferation of conventional arms. I would need to see the results of negotiation to make any further recommendation.

ARMS CONTROL

*Question.* What role do you see for arms control as a means of improving U.S. national security?

Answer. Arms control continues to play an important role in advancing U.S. national security by providing predictability and stability in certain strategic relationships, particularly in U.S.-Russian relations. Arms control should never be an end unto itself; neither is it a tool that can be employed without the context of a well-prepared and effective military force.

*Question.* What are your views on the next bilateral steps to address nuclear-weapons issues between the United States and Russia?

Answer. I believe that as the New START is implemented and any issues that arise are addressed in the Bilateral Consultative Commission, we should continue to work with Russia to lay the groundwork for future bilateral negotiations on reducing both strategic and nonstrategic weapons, including non-deployed weapons.

The Report of the Nuclear Posture Review noted that because of our improved relations, strict numerical parity between the United States and Russia is no longer as compelling as it was during the Cold War. However, it also indicated that large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced. By joining with the world's other principal nuclear power to move to lower levels of forces in concert, arms control thus provides a means for strengthening strategic stability in our relationship with Russia.

*Question.* What conditions, if any, do you believe need to be met to reduce further the U.S. strategic nuclear stockpile through arms control?

Answer. The ongoing Nuclear Posture Review implementation study will help identify the force levels needed to support deterrence and targeting requirements. Completion of this analysis is necessary to formulate any future arms control objectives involving our nuclear stockpile. In general, I believe that future nuclear reductions should maintain strategic deterrence and stability with regard to Russia and China, strengthen deterrence of potential regional adversaries, and ensure the credibility of our security assurances to our allies and partners. We also must guarantee our operational flexibility and ability to hedge against geopolitical and technical uncertainty.

*Question.* What is your view of the role of the Nuclear Nonproliferation Treaty in U.S. national security, and how should it be strengthened or improved?

Answer. The Nuclear Nonproliferation Treaty is a valuable foundational element of the broader international nonproliferation regime, and contributes significantly to strategic stability. We should work to strengthen the treaty by encouraging greater state-party adherence and agreement to International Atomic Energy Agency inspections, among other steps.

BALLISTIC MISSILE DEFENSE

*Question.* In February 2010, the Defense Department issued its report on the first-ever comprehensive review of U.S. ballistic missile defense policy and strategy, the Ballistic Missile Defense Review (BMDR), as required by Congress. The BMDR established a number of policy priorities, including establishing defense against near-term regional missile threats as a top priority of missile defense plans, programs, and capabilities. It also stated the policy of sustaining and enhancing the ability of the Ground-based Midcourse Defense system to defend the Homeland against attack by a small number of long-range missiles by countries such as North Korea and Iran, and of hedging against future uncertainties.

Do you support the policies, strategies, and priorities set forth in the Ballistic Missile Defense Review?

Answer. Yes, I support the policies, strategies, and priorities set forth in the 2010 Report of the Ballistic Missile Defense Review.

*Question.* Do you agree that our missile defense must be fiscally sustainable?

Answer. Yes. DOD has tailored its budget request to fiscal requirements. We have protected our top missile defense priorities, including defending the Homeland, implementing the European Phased Adaptive Approach (EPAA), and pursuing Phased Adaptive Approaches (PAA) in the Middle East and the Asia-Pacific region.

*Question.* In September 2009, President Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to pursue a PAA to missile defense in Europe. This approach is intended to defend all of Europe against existing and emerging threats from Iranian missiles, increasing in capability with each of its four phases. Phase 4 of the EPAA is intended to provide a capability to defend against potential future long-range missiles from Iran that could reach the United States, thus augmenting the existing Homeland missile defense capability.

Do you support the PAA to Missile Defense in Europe and, if confirmed, will you implement it?

Answer. Yes, I support the EPAA and, if confirmed, I will support its implementation.

*Question.* Do you agree that any ballistic missile defense systems that we deploy operationally must be operationally effective, suitable, survivable, cost-effective, affordable, and should address a credible threat?

Answer. Yes. I believe that DOD should continue to subject new ballistic missile defense capabilities to testing under realistic operational conditions against realistic targets. DOD should invest in ballistic missile defense capabilities that are fiscally sustainable over the long-term and are mobile and relocatable.

*Question.* Do you agree that ballistic missile defense testing needs to be operationally realistic, and should include Operational Test and Evaluation, in order to assess operational capabilities and limitations of ballistic missile defense systems, prior to deploying such systems?

Answer. Yes. U.S. ballistic missile defense testing needs to be operationally realistic and include robust Operational Test and Evaluation. I support the "fly-before-you-buy" policy outlined in the Report of the Ballistic Missile Defense Review.

*Question.* The United States and NATO are seeking options to cooperate with Russia on missile defense, including the possibility of sharing radar and early warning data. President Obama has announced that such cooperation would not limit U.S. or NATO missile defense capabilities.

Do you agree that such cooperation could enhance the security of the United States, NATO, and Russia against common missile threats from Iran, and could send a powerful signal to Iran that could help persuade Iran not to pursue long-range missiles or nuclear weapons?

Answer. Yes. Missile defense cooperation with Russia could strengthen common defenses against Iranian missiles and send an important signal to Iran that Russia and the United States are working together to counter the proliferation and use of ballistic missiles.

*Question.* Do you agree that, notwithstanding Russian concerns, the United States is committed to the continued development and deployment of U.S. missile defense systems, including qualitative and quantitative improvements to such systems, needed to meet our security needs?

Answer. Yes. The United States will not accept constraints on missile defense. We will undertake the necessary qualitative and quantitative improvements to the ballistic missile defense system to meet U.S. security needs.

NATIONAL SECURITY SPACE POLICY

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

Answer. I believe that the Principal Deputy Under Secretary of Defense should support the Secretary of Defense and the Under Secretary of Defense for Policy in developing and ensuring implementation of national security space policy. If confirmed, I will work with the Under Secretary of Defense and the Assistant Secretary of Defense for Global Strategic Affairs to establish and oversee the implementation of overarching DOD space policy developed in accordance with the National Space Policy, National Security Space Strategy, and associated guidance.

SPECIAL OPERATIONS FORCES

*Question.* The previous two QDRs have mandated significant growth in our special operations forces and enablers that directly support their operations.

Do you believe that we should further increase the number of special operations personnel? If so, why, and by how much?

Answer. I believe the completion of the directed growth in Special Operations Forces and Combat Support and Combat Service Support personnel directed in the 2006 and 2010 QDRs would posture U.S. Special Operations Command (SOCOM) to conduct the range of anticipated operations effectively to meet future requirements. These forces will continue to require service-provided enablers to sustain the level of mobility, ISR, fires, and medical evacuation, in differing mixtures, based on the operational environment.

*Question.* In your view, how can the size of Special Operations Forces be increased while also maintaining the rigorous recruiting and training standards for special operators?

Answer. Experience has shown that SOF manpower growth of 3 to 5 percent annually can be sustained and will not dilute the force or outpace the required training and support structure. In my view, SOCOM has done a magnificent job of adjusting its processes to maintain the quality of SOF operators and support personnel during this current era of SOF growth.

*Question.* In recent years, Special Operations Forces have taken on an expanded role in a number of areas important to countering violent extremist organizations, including those related to information and military intelligence operations. Some have advocated changes to the activities of SOCOM's enumerated in section 167 of title 10 to more specifically track the activities special operations forces are carrying out around the world.

Do you believe any modifications to SOCOM's title 10 missions are appropriate? If so, what modifications would you suggest?

Answer. The Department uses a range of processes, including the development of the Unified Command Plan, to review the mission sets and responsibilities it assigns to SOCOM on an ongoing basis. The language in section 167 of title 10, U.S.C., also includes "such other activities as may be specified by the President or the Secretary of Defense," which provides the President and the Secretary of Defense the flexibility needed to meet changing circumstances. Hence, at this time I would not advocate significant changes to SOCOM's title 10 missions.

*Question.* What can be done to ensure that indirect special operations missions with medium- and long-term impact, such as unconventional warfare and foreign internal defense, receive as much emphasis as direct action, and that they receive appropriate funding?

Answer. The activities of Special Operations Forces are quite varied, from high-risk strikes and counterterrorist raids to working by, with, and through local partners, whether in the form of training and advising foreign counterparts, or providing support to civilian authorities abroad. I believe that each of these missions is highly valued within the Special Operations community. However, as the security landscape has changed, the demands for these kinds of missions have begun to exceed the ability of the Special Operations community alone to meet them.

As a remedy to this situation, and consistent with QDR 2010 and the January 2012 Defense Strategic Guidance, the Department is building the capacity and capabilities of the general purpose forces to be prepared to take on more of the kinds of missions that used to fall exclusively to SOF. Security force assistance is an example of that. I believe that broadening the spectrum of irregular missions that our general purpose forces are able to take on will alleviate some burdens on the SOF community and ensure that the Total Force is adequately prepared to undertake and support both direct and indirect missions. I believe that increasing the contribution of general purpose forces to these missions will help ensure adequate capabilities overall and proper balance between general purpose forces and Special Operations Forces.

*Question.* Some have advocated providing the SOCOM Commander with new authorities that would, among other things, better resource the Theater Special Operations Commands (TSOC) and provide Special Operations Forces with additional flexibility and funding to build the capacity of partner nation security forces.

Do you believe additional special operations-specific authorities are appropriate? If so, what types of authorities would you suggest?

Answer. TSOCs are essential to all facets of the Geographic Combatant Commander's (GCC) engagement and campaign plans. The Department is currently conducting a full scale review of authorities to guarantee that we are providing the TSOCs the flexibility and agility to best meet GCC objectives.

INTERAGENCY COLLABORATION

*Question.* The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from the collaborative interagency efforts in Afghanistan, Iraq, and elsewhere?

Answer. I believe one of the most important lessons learned has been the necessity of close civil-military collaboration at all levels, at the tactical level with organizations such as Provincial Reconstruction Teams (PRT) and Embedded PRTs, as well as unity of effort at the operational and strategic levels. Such unity of effort is critical in missions ranging from direct action to building partner capacity. We can facilitate this type of coordination through organizational structures, but much of this is also a cultural issue—making collaboration and coordination part of the ethos of our civil and military institutions. Experiences from recent conflicts have facilitated this to a large degree, although institutionalization can and should be continued.

*Question.* How do you believe these efforts can be improved?

Answer. One of the lessons learned has been the need for close collaboration early in the planning phase, before a contingency begins. This lesson can and should carry forward to future contingencies. Recent conflicts have also pointed to the need for sufficient capacity and capability within civilian agencies for these kinds of contingency operations.

*Question.* If confirmed, what would be your role in encouraging greater interagency collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies?

Answer. Several parts of the Department, including the Office of the Secretary of Defense, the Joint Staff, and the combatant commands, work with interagency partners, both in Washington and in the field. If confirmed, I would continue to support these activities by participating in interagency fora and providing policy input and oversight, as directed by the Secretary and Under Secretary of Defense for Policy.

In terms of counterterrorism, Special Operations Forces will continue to have a leading role in our efforts to defeat al Qaeda. The Department is prepared to sustain a significant number of deployed SOF around the world, working closely with allies and partners to develop the capabilities and capacities they need to rid their territories of terrorists and prevent their resurgence. The defeat of al Qaeda cannot be achieved without bringing together the expertise and resources of the entire U.S. Government—intelligence, law enforcement, military, and other instruments of national power—in a coordinated and synchronized manner. If confirmed, I would seek strong relationships with DOD's interagency partners; in particular, the National Counter-Terrorism Center, the State Department's Bureau of Counterterrorism, and the Center for Strategic Counterterrorism Communications, to maximize DOD's efforts to counter violent extremism.

Building the capacity of foreign security forces is a key part of any counterinsurgency effort. It is a shared responsibility within the executive branch, particularly the Departments of State and Defense. Close collaboration between the Departments is a key characteristic of the section 1206 authority, and one of its greatest strengths. The Global Security Contingency Fund epitomizes this shared responsibility, and represents an opportunity for the State Department and DOD to plan for contingencies jointly, and to establish a new model for interagency planning of security sector assistance.

To foster operational-level integration, our interaction with other departments and agencies continues to deepen both in Washington and at the combatant commands. In the field, combatant commands use Joint Interagency Coordination Groups to support interagency planning and coordination. The interagency is also playing an increasing role in DOD exercises, making them a more realistic reflection of the environment in which our forces would operate. If confirmed, I would continue to promote such cooperation.

READINESS OVERSIGHT

*Question.* Part of the scope and responsibility of the Office of Under Secretary of Defense for Policy, is to help shape and decide how and where DOD deploys forces, but without direct oversight into the readiness of those forces. Currently, that readiness oversight function resides with the Office of the Under Secretary of Defense for Personnel and Readiness. Arguably, a shift of the readiness oversight responsibility from personnel into policy could provide a comprehensive and broader insight into the readiness of our forces.

If confirmed, would you be in favor of shifting the readiness oversight from the Office of the Under Secretary of Defense for Personnel and Readiness to the Office of the Under Secretary of Defense for Policy?

Answer. Both the Offices of Under Secretary of Defense for Personnel and Readiness (P&R) and Under Secretary of Defense for Policy (Policy) play important but distinct roles in monitoring the readiness of the Armed Forces. P&R focuses on the delivery of readiness through the key elements of training, personnel, health affairs, Reserve component affairs, and quality of life programs. P&R is also staffed by people with expertise appropriate to assessing programs and activities in these areas. Policy, on the other hand, articulates the requirements for readiness through the development and issuance of guidance on strategy, plans, force structure, and regional and global posture initiatives. These two different but complementary perspectives on readiness provide the Department's leaders with appropriate and separate oversight of readiness that ensures the Military Departments and Services are prepared to support the combatant commanders' operational requirements with ready forces.

MULTILATERAL PEACEKEEPING OPERATIONS

*Question.* In testimony before the House Committee on Foreign Affairs (July 29, 2009), Ambassador Susan Rice, U.S. Ambassador to the U.N., stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute additional military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. In general, if confirmed, I would support additional contributions of U.S. military personnel to staff officer positions, provided that they are positions that would add significant value to the mission, and that the mission is a strategic priority for the United States.

Support for international peacekeeping remains an important security objective for the U.S. Government, and the United States has a stake in the success of U.N. peacekeeping operations. I believe that, where practicable, the United States should continue to provide military personnel for U.N. peacekeeping operations, especially for key staff positions that can help shape the direction and success of the mission. If confirmed, I will carefully evaluate any proposals to contribute military or civilian personnel to a U.N. peacekeeping operation, weighing the potential positive impact of U.S. participation in the mission against other military commitments we have around the globe, and the estimated cost of U.S. involvement.

*Question.* What are the advantages and disadvantages of contributing additional military personnel to U.N. operations?

Answer. There are several potential advantages to contributing additional military personnel to U.N. missions: the opportunity to shape these missions from the inside and contribute to the success of the mission; professional development opportunities for military personnel to serve in a joint, combined environment; and the benefit of receiving real-time information and insights on emerging threats and crises from places where there might not otherwise be a U.S. presence. It also enables an increased professional interaction by U.S. military personnel with numerous partner nations' military personnel, with whom we may not normally have the opportunity to serve.

The potential disadvantage of providing additional military personnel is the additional demands these assignments would impose on a U.S. military force that has seen extensive deployments in recent years, and that is still heavily engaged in overseas operations. I do not believe the United States will be in a position to provide significant numbers of military personnel to peacekeeping missions anytime in the near future. However, I believe the selective placement of even modest numbers of U.S. military personnel in addition to the personnel we currently have assigned to U.N. operations can have a significant, positive effect on U.N. peacekeeping operations.

MINERVA INITIATIVE

*Question.* The Minerva Initiative is a DOD-sponsored, university-based social science research initiative launched by the Secretary of Defense in 2008 focusing on areas of strategic importance to U.S. national security policy. The goal of the Minerva Initiative is to improve DOD's basic understanding of the social, cultural, behavioral, and political forces that shape regions of the world of strategic importance to the United States. OSD Policy and the ASD (Research and Engineering) co-lead this initiative.

What is your understanding and assessment of the Minerva Initiative?

Answer. The Minerva Initiative is a basic research program in the defense social sciences initiated by former Secretary of Defense Gates and now supported by Secretary Panetta. The program is jointly managed by OSD Policy and ASD (Research and Engineering). The Minerva Initiative has sponsored innovative university research on topics ranging from terrorism to the relationship between climate change and political stability to technological innovation in China. The Minerva Initiative also sponsors research faculty chair positions at select Joint Professional Military Education schools and the three Service Academies. After only 3 years, the program has contributed to developing new intellectual capital in the social sciences, building ties between the Department and the academic social science community, and improving the Department's understanding of key areas of strategic importance to U.S. national security policy.

*Question.* If confirmed as Principal Deputy Under Secretary of Defense for Policy, what guidance, if any, would you provide to the Minerva Initiative, including incor-

porating the results from the research produced thus far and utilizing the expertise affiliated with this initiative?

Answer. If confirmed, I would provide guidance to ensure the Minerva Initiative continues to strengthen the ties between the social science research community and the defense community. Many Minerva findings have already been applied to inform policy for today's defense priorities, and Minerva Initiative scholars have briefed valuable, warfighter-relevant insights to senior officials such as the Chairman of the Joint Chiefs of Staff, decisionmakers in the defense policy community, and our combatant commands. As a basic research program, however, the Minerva Initiative's most important contributions may be greatest over the longer term.

The DOD community already plays an active role in both shaping Minerva Initiative research priorities and benefiting from scholarly insights. In particular, staff officers in OSD Policy serve not only as reviewers but as advisors and potential customers for Minerva Initiative efforts while connecting those insights to the broader defense community. If confirmed, I would seek to continue this strong oversight to ensure the results of Minerva Initiative research are connected to the key social science-related issues the Department faces.

PRIVATE SECURITY CONTRACTORS

*Question.* In your view, has the U.S. reliance upon private security contractors to perform security functions risked undermining our defense and foreign policy objectives in Afghanistan?

Answer. If confirmed, I will support the Under Secretary of Defense for Acquisition, Technology, and Logistics in ensuring the Department's responsibilities in this regard are met. The use of force by contractors or military personnel can, if misapplied, undermine our policy objectives. Contractors for physical security missions have been a necessity in Iraq and Afghanistan and are likely to be so in future contingencies. DOD has established procedures over time to manage these contractors more effectively, in order to prevent unnecessary violence that would be detrimental to our policy objectives. This is an area that requires constant attention and continued supervision to ensure that our policy is appropriate and effective.

*Question.* What steps, if any, would you take, if confirmed, to reduce the Department's reliance upon contractors to perform security functions in Afghanistan?

Answer. If confirmed, I would work to facilitate the transition from private security contractors to the Afghan Public Protection Force. I would also ensure that the combatant commander is furnished with clear policy assuring that private security contractors are only being used where appropriate and necessary. Our commanders on the ground must have authority to restrict security contractors' operations as the situation requires.

*Question.* What steps, if any, would you take, if confirmed, to ensure that any private security contractors who may continue to operate in an area of combat operations act in a responsible manner, consistent with U.S. defense and foreign policy objectives?

Answer. If confirmed, I would work with the Under Secretary of Defense for Acquisition, Technology and Logistics, the Joint Staff, the General Counsel of DOD, and combatant commanders to ensure that commanders at all levels understand their responsibilities regarding armed contractors operating in support of them or in their operational area. This includes ensuring commanders are aware of extant legal responsibilities with respect to qualification, training, and vetting requirements as well as the limitations on the use of force by these contractors.

I would also work to ensure that combatant commanders are furnished with clear policy assuring that private security contractors are only being used where appropriate and necessary. Our commanders on the ground must have authority to restrict security contractors' operations as the situation requires.

*Question.* Do you support the extension of the Military Extraterritorial Jurisdiction Act to private security contractors of all Federal agencies?

Answer. I support steps to ensure that there is legal accountability for the actions of all contractors performing work for the U.S. Government in an area of combat operations. If confirmed, I will support DOD efforts to work with our interagency partners to build appropriate mechanisms to ensure such accountability.

DETAINEE TREATMENT POLICY

*Question.* Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes, I do.

*Question.* Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the DOD Detainee Program, dated September 5, 2006?

Answer. Yes.

*Question.* If confirmed, will you ensure that all DOD policies promulgated and plans implemented related to intelligence interrogations, detainee debriefings, and tactical questioning comply with Common Article 3 of the Geneva Conventions and the Army Field Manual on Interrogations?

Answer. Yes.

*Question.* Do you share the view that standards for detainee treatment must be based on the principle of reciprocity, that is, that we must always keep in mind the risk that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts?

Answer. Yes. I believe that DOD and more broadly U.S. leadership should be mindful of multiple considerations when developing standards for detainee treatment, including that the manner in which we treat our own detainees may have a direct impact on the manner in which U.S. soldiers, sailors, airmen, or marines are treated, should they be captured in future conflicts.

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 Principal 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.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JOSEPH I. LIEBERMAN

DEFENSE STRATEGY FORMULATION

1. Senator LIEBERMAN. Dr. Hicks, in your responses to the advance policy questions you state, "It is my assessment based on my past 3 years in the Department that the processes for analysis, decisionmaking, and reporting on each of the abovementioned reports [including the Quadrennial Defense Review (QDR)] are outstanding." However, I have become increasingly concerned by the brittle nature of the Department of Defense's (DOD) recent strategy formulation efforts. The 2010 QDR did not even last 2 years before DOD felt compelled to replace it with the Defense Strategic Guidance (DSG). Key elements of U.S. force structure identified in the 2010 QDR, most notably in the ground force, are now regarded as unnecessary. It would seem that there is significant room for improvement in formulating strategies that stand up to significant changes in resources and the strategic environment. How would you compare the findings of the 2010 QDR and the 2012 DSG? Specifically, which findings of the 2010 QDR remain valid and which need to be eliminated?

Dr. HICKS. In order to meet the Nation's security needs most effectively, the Department must adapt its strategic approach to shifts in the strategic environment, including international dynamics, operational transitions, and resource realities. I

am comfortable that DOD's strategy efforts represent an adaptable, rather than brittle, process.

In 2011, the President directed DOD to conduct a comprehensive review in light of geopolitical changes and the Nation's fiscal challenges since the Department had published the QDR in 2010.

The resulting DSG maintained several key themes emphasized in the 2010 QDR, such as maintaining pressure on al Qaeda and affiliated groups, accelerating modernization and concept development to counter anti-access challenges, continuing a broad array of activities to build partner capacity, and ensuring the ability of our forces to operate effectively in cyberspace and space. A notable shift from the 2010 QDR is the Department's current assessment that long-duration, large-scale U.S. ground operations are less likely to be a prevalent feature of the security environment. Precise prediction of the future operating environment is not possible, however, which is why the DSG sets forth an approach to mitigate the risk that U.S. Forces may be called upon to conduct such operations. This includes the requirement to protect our ability to mobilize and generate capabilities as needed, and to maintain the skills and experience learned over the past decade of war.

2. Senator LIEBERMAN. Dr. Hicks, given the significantly compressed timeline to produce the DSG as compared to the 2010 QDR, would you say that the analysis behind the DSG, and by extension the fiscal year 2013 budget request, was more rigorous or less rigorous than the analysis that went into the 2010 QDR?

Dr. HICKS. I have confidence in the analytics that underpin the DSG of 2012. Compared to the development of a QDR, the timing of the DSG required a shorter duration but equally high-intensity effort on behalf of DOD, which drew upon a wealth of information and depth of expertise resident across DOD. Such a significant effort was necessary to ensure that the Department was making strategy-driven decisions to meet its fiscal obligations as we adjust to changes in the security environment. Moreover, as Secretary Panetta has noted, the creation of the DSG involved significant personal attention from senior leaders—uniformed and civilian—throughout the Department. The DSG also underwent substantial review by our interagency colleagues and senior officials at the White House, including the President.

Because many of the analytic resources used to inform the DSG, including scenario sets, databases, and modeling and simulation, were generated during the QDR; and because there was continuity in many of the individuals involved across the two efforts, DOD was able to provide for the DSG a level of supporting analytics on par with those developed for the QDR of 2010.

3. Senator LIEBERMAN. Dr. Hicks, did the expectation of reduced DOD budgets play a role in the analysis that produced the DSG? If so, how was this concern weighed against other strategic concerns?

Dr. HICKS. Two key factors drove the analysis that produced the DSG—changes in the security environment and the need to take steps to protect our Nation's economic vitality. DOD faced a strategic inflection point with the responsible drawdown from a decade of combat operations in Iraq and Afghanistan and shifting economic and security interests in a world of accelerating change. The DSG describes the projected security environment and the primary military missions of the Department as we rebalance from prevailing in current conflicts to preparing for an uncertain future. The enactment of the Budget Control Act in August 2011 and other appropriate budget guidance, also informed our analysis.

The decisions made during the development of the DSG, which provide the precepts for the size and shape of the Joint Force of the future, were reflected in the subsequent fiscal year 2013 budget and will continue to be reflected over subsequent program and budget cycles. These were tough choices. The DSG describes a broad portfolio of military capabilities that offer versatility across a range of priority missions. We will also take steps to build resiliency to be able to address unforeseen developments in the security environment by protecting our ability to regenerate capabilities that might be needed in the future.

4. Senator LIEBERMAN. Dr. Hicks, did budgetary concerns play a role in the analysis that produced the 2010 QDR? If so, how was this concern weighed against other strategic concerns?

Dr. HICKS. The QDR of 2010 was strategy-driven and resource-informed. The QDR concluded that the U.S. Armed Forces must balance resources and risk among four priority objectives:

- Prevail in today's wars—the first time this objective appeared in a QDR;
- Prevent and deter conflict;

- Prepare to defeat adversaries and succeed in a wide range of contingencies; and
- Preserve and enhance the All-Volunteer Force, the single greatest strategic asset of the United States.

Throughout 2009, DOD conducted extensive analyses of the capabilities and capacity of a range of future forces, and concluded that the Nation could field a force sufficient to execute the QDR's defense strategy within then-projected resource levels.

5. Senator LIEBERMAN. Dr. Hicks, in general, do you believe DOD strategic reviews should be shaped by resource considerations? If so, how should they be weighed against other strategic concerns?

Dr. HICKS. I believe that the DOD strategic reviews, such as the QDR or the recently released DSG, should continue to be informed by a general understanding of the level of resources that the Nation is prepared to commit to national security. To do otherwise would be to risk developing strategies that cannot successfully match ends to ways and means.

6. Senator LIEBERMAN. Dr. Hicks, in the future, should DOD strategic reviews like the QDR include separate resource-unconstrained and resource-constrained components? If not, how do you believe these reviews should best account for the strategic consequences of resource constraints?

Dr. HICKS. I do not believe that DOD strategic reviews, such as the QDR and the DSG, should assume unlimited resources. To do so would mean that the strategy would not meet the essential objective of strategy-making: creating approaches that match ends, ways, and means. Although resources are an important factor in informing strategy development, they must not be allowed to drive our strategy. Instead, DOD must balance resources and risks as they relate to desired end-states. Our existing analytical processes provide decisionmakers with insights regarding the consequences of likely resource constraints by assessing the ability of our forces to accomplish priority missions across a range of plausible scenarios.

7. Senator LIEBERMAN. Dr. Hicks, the 2010 QDR included assessments of operational risk, force management risk, institutional risk, future challenges risk, and strategic, military, and political risks incurred by its recommended approach. The DSG was not accompanied by a similar assessment. Can you identify the most important risk factors in each category in the DSG?

Dr. HICKS. The 2012 DSG and the decisions in the fiscal years 2013 to 2017 Future Years Defense Program were informed by our desire to reduce risk is several key areas, notably in adapting to the growing importance of new operational domains, continuing challenges posed by adversaries employing anti-access/area denial approaches, and the Nation's financial crisis. Early insights from the Chairman's Risk Assessment were instrumental in the development of the Department's strategic guidance. More broadly, during the strategic review, we assessed risk through wargaming scenarios, trend analysis, and other means.

Although the Department faced difficult choices in managing trade-offs within defense approaches and resources, I believe that the risks associated with the new DSG are manageable and acceptable. Spending reductions of the magnitude directed by the Budget Control Act of 2011 required difficult choices. For example, by reducing overall end strength and aggregate force structure, we are accepting greater risk should long duration, large-scale U.S. ground operations be a prevalent feature of the future security environment. The DSG sets forth an approach to mitigate this risk by protecting our ability to mobilize and regenerate capabilities as needed. This includes maintaining intellectual capital and rank structure that could be called upon to expand key elements of the force. This ensures that the U.S. Reserve component is well-equipped and well-trained, and that we preserve the health and viability of the Nation's defense industrial base.

The Department's risk mitigation plan identifies active mitigation efforts for the specific risks identified in the Chairman's Risk Assessment.

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## QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

### READINESS OVERSIGHT

8. Senator MCCASKILL. Dr. Hicks, in your response to advance policy questions, you indicated that the Under Secretary of Defense for Policy has oversight of, among other things, force structure. What actions have you taken, or, if confirmed, would

you take, with respect to significant force structure changes in the Army and the Air Force?

Dr. HICKS. The Under Secretary of Defense for Policy (USD(P)) is one of several advisors to the Secretary of Defense on matters relating to the structure and capabilities of U.S. Forces. If confirmed, I would support the USD(P) in ensuring the Department considers the following in its force planning efforts:

- Defense strategy, which prescribes how military power and capabilities will be harnessed in the pursuit of stated objectives, as outlined in the President's National Security Strategy;
- Defense planning scenarios and other expressions of demand for U.S. military capabilities and activities. These include, in the near-term, ongoing operations and the operational plans of the combatant commanders, and in the longer-term (5 to 7 years and beyond), scenarios that reflect decision-makers' judgments regarding the most important types of operations that U.S. Forces must be prepared to undertake; and
- Force assessments—qualitative and quantitative analyses of the ability of current, programmed, and alternative forces to meet the demands reflected in the scenarios, operational plans, and other sources of operational requirements listed above.

Within DOD, USD(P) plays the leading role in developing the defense strategy, a shared role in defining and developing scenarios, and a supporting role in assessing the capabilities of U.S. Forces. As the Deputy Under Secretary for Strategy, Plans, and Forces, I have assisted the Principal Deputy Under Secretary for Policy (PDUSD(P)) and the USD(P) in these efforts.

9. Senator MCCASKILL. Dr. Hicks, please describe the approval process in place, or, if confirmed, the approval process you would recommend putting in place, for oversight of major force structure changes.

Dr. HICKS. Since I began my tenure as Deputy Under Secretary of Defense for Strategy, Plans, and Forces, the Secretary and the Deputy Secretary of Defense, working in close cooperation with the Chairman and Vice Chairman of the Joint Chiefs of Staff, have been responsible for reviewing and approving all major elements used in the force planning process. The Secretary and Deputy Secretary have also included OSD components, the military departments, and geographic combatant commands in the review process to ensure as comprehensive an approach as possible. Collectively, they review and refine, and ultimately, make recommendations to the Secretary regarding the defense strategy upon which force structure changes are based. Likewise, the Secretary and Deputy Secretary have forged a DOD-wide consensus on which missions should be the primary focus of the Department's force planning efforts and what expressions of operational requirements—ongoing operations, operational plans, scenarios—should be used for evaluating current and future forces. They take into account force assessments when they make choices regarding future force structure and the allocation of resources.

In my experience, this process has worked well, and I believe that it should be continued in the future. In the conduct of the QDRs, as well as the annual program and budget review, there is no substitute for hands-on involvement by the Department's top leaders.

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## QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

### NUCLEAR MODERNIZATION

10. Senator INHOFE. Dr. Hicks, in the 2010 Nuclear Posture Review (NPR) and during the discussion on the New Strategic Arms Reduction Treaty (START), the administration made substantial commitments to the sustainment and modernization of the U.S. nuclear deterrent. Enhanced safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of the nuclear delivery systems are integral to maintaining our nuclear deterrence. Do you support the triad of bombers with gravity bombs and nuclear cruise missiles, ballistic missile submarines, and intercontinental ballistic missiles (ICBM)?

Dr. HICKS. I support the United States retaining a triad of submarine-launched ballistic missiles (SLBM), ICBMs, and heavy bombers. At current force levels, retaining all three triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities. Strategic nuclear submarines (SSBN) and the SLBMs they carry represent the most survivable leg of the U.S. nuclear triad. Single-warhead ICBMs contribute to stability, and like

SLBMs are not vulnerable to air defenses. Unlike ICBMs and SLBMs, bombers can be visibly deployed forward, as a signal in crisis to strengthen deterrence of potential adversaries and assurance of allies and partners.

11. Senator INHOFE. Dr. Hicks, it has been reported that President Obama is weighing options for sharp new cuts to our nuclear arsenal unilaterally, potentially up to 80 percent, proposing 3 plans that could limit the number to as low as 300. Is the United States considering unilaterally reducing its arsenal of nuclear weapons?

Dr. HICKS. Secretary Panetta recently testified before Congress that: "We've gone through a nuclear review and presented options to the President. But let me be very clear that these options are in no way unilateral."

The April 2010 Report of the NPR stated that the United States intends to pursue further reductions in nuclear weapons negotiations with Russia. The Department's NPR follow-on analysis of deterrence requirements and force postures will help identify the force levels needed to support these objectives and any potential risks. The completion of this analysis is necessary to inform future arms control objectives involving our strategic nuclear stockpile.

12. Senator INHOFE. Dr. Hicks, how would a unilateral reduction impact our ability to deter, provide extended deterrence, and defend ourselves, if attacked?

Dr. HICKS. The President directed follow-on analysis to the April 2010 NPR that considers a number of factors to shape goals for future U.S.-Russia reductions in nuclear weapons below New START treaty levels. Among those factors is maintenance of the reliability and effectiveness of our security assurances to allies and partners, while also maintaining strategic stability with Russia. A primary goal of this study is ensuring that U.S. deterrence requirements and U.S. plans are aligned to address today's threats.

13. Senator INHOFE. Dr. Hicks, how would unilateral reductions affect nuclear proliferation?

Dr. HICKS. The April 2010 Report of the NPR highlighted the need to better align our nuclear policies and posture to our most urgent priorities: preventing nuclear terrorism and nuclear proliferation. The NPR identified several factors that would influence future reductions in U.S. nuclear forces below the New START treaty levels. Those factors include: continued strengthening of deterrence, strategic stability, and assurance; continued investment in and implementation of the Stockpile Stewardship Program; and considerations with regard to Russia's nuclear forces.

14. Senator INHOFE. Dr. Hicks, is it important to maintain our nuclear triad?

Dr. HICKS. Yes, the United States should retain a triad of SLBMs, ICBMs, and nuclear-capable heavy bombers. The April 2010 NPR clearly states that the U.S. nuclear triad of ICBMs, SLBMs, and nuclear-capable heavy bombers will be maintained under the New START treaty. At current force levels, retaining all three triad legs will maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities. Ballistic missile submarines (SSBNs) and the SLBMs they carry represent the most survivable leg of the U.S. nuclear triad. Single-warhead ICBMs contribute to stability, and like SLBMs are not vulnerable to air defenses. Unlike ICBMs and SLBMs, bombers can be visibly deployed forward, as a signal in crisis to strengthen deterrence of potential adversaries and assurance of allies and partners.

15. Senator INHOFE. Dr. Hicks, are you committed to the nuclear modernization plan, referred to as the 1251 plan, that was the basis for Senate support for the New START treaty?

Dr. HICKS. Yes, maintaining a safe, secure, and effective nuclear deterrent, and recapitalizing the nuclear complex, were clearly articulated in the NPR well before the New START treaty was submitted to the Senate. The administration's approach to sustainment and modernization is clearly set forth in the Report to Congress pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (the 1251 Report). However, the road ahead will be challenging as DOD adjusts to current and projected budget cuts. We will have to make hard choices, and this may cause changes to NPR implementation and the 1251 Report. DOD is committed to fulfilling its requirements associated with the NPR. To date, DOD has been able to do this by adjusting programs to shift funds as necessary. Unfortunately, we understand the future will likely include more budget cuts, and we expect potential challenges that could affect the current plan.

16. Senator INHOFE. Dr. Hicks, do you support modernization of our nuclear weapons labs, and if so, would you characterize this funding as national security activities?

Dr. HICKS. Yes, DOD is committed to modernization of our nuclear security complex, which includes the weapons labs. Both the April 2010 NPR Report and the Report to Congress pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (the 1251 Report) plan highlighted the need to recapitalize our nuclear security infrastructure to ensure a safe, secure, and effective nuclear deterrent. These investments will support the full range of nuclear security work, including nonproliferation, nuclear forensics, nuclear counterterrorism, emergency management, intelligence analysis, and treaty verification.

TRICARE

17. Senator INHOFE. Dr. Hicks, healthcare costs have doubled since fiscal year 2001, growing from around $17 billion to over $42 billion in fiscal year 2009. Healthcare is projected to consume 12 percent of DOD's budget in 2015, compared to 4.5 percent in 1990. The new Obama budget calls for military families and retirees to pay increasingly more for their healthcare, while leaving other Federal unionized workers alone. Enrollment fees for TRICARE Prime in the fiscal year 2013 budget request would increase fees anywhere from 30 percent to 78 percent. Over 5 years, compared to current fees, the fiscal year 2013 proposal would increase the enrollment fee by 94 percent and up to 345 percent for some retirees. If costs are increased as planned in the fiscal year 2013 proposal, will some military beneficiaries not be able to afford TRICARE?

Dr. HICKS. The Department's proposed fee increases will mostly affect retirees and, especially, retirees who are under the age of 65 and are still in their working years. These fees are comparatively moderate and tiered-based on retirement income. While some retirees are expected to opt out of TRICARE as a direct result of the fee increases, they will be doing so in favor of other health care coverage options. In fiscal year 2000, approximately 60 percent of retirees relied on TRICARE for their health care. Today, it is roughly 84 percent with projections that it will reach 90 percent by fiscal year 2017. Our estimate is that these proposals will reduce this reliance to 79 percent, roughly what it was in fiscal year 2008.

For 15 years, the Department had not increased most fees. Over the years, the TRICARE benefit was expanded, providing more coverage, at no additional cost. In 1996, retired beneficiaries used to bear 27 percent of overall health care costs; by 2012 they were responsible for only 10 percent of their health care costs. At the end of the proposed multi-year phase-in period, beneficiary out-of-pocket costs will rise from 10 percent to less than 15 percent of total health care costs, considerably less than in 1996.

While the President's budget does not change the formula for enrollment fees for non-military Federal Government civilian employees or civilian retirees, those fees have increased and are still increasing. These increases are because civilian employees and retirees health related fees are tied to private-sector plans' increases in health care costs. If the fee changes are approved, the TRICARE benefit will remain one of the finest and most generous health benefits available in the country, better than the TRICARE benefit in 1996, and far lower than costs by other Federal Government employees.

18. Senator INHOFE. Dr. Hicks, do you know how many beneficiaries will no longer be able to afford TRICARE in the out-years with the increases planned in the fiscal year 2013 proposal?

Dr. HICKS. Because the proposed fees are comparatively modest, and based on retirement income, TRICARE will continue to be an attractive health option for the vast majority of retirees. However, as noted above, the Department estimates that the proposals will reverse the increase in the number of retirees who use TRICARE as their primary health insurance vice using their employer-sponsored insurance. In fiscal year 2000, approximately 60 percent of retirees relied on TRICARE. Since then, we have seen a steady rise in the number of retirees using their TRICARE benefit. Today, it is roughly 84 percent, with projections that it will reach 90 percent by fiscal year 2017. Our estimate is that these proposals will reduce this reliance to 79 percent, roughly what it was in fiscal year 2008.

19. Senator INHOFE. Dr. Hicks, if beneficiaries no longer opt-in to TRICARE, will cost-driven attrition put TRICARE's sustainability at greater risk than healthcare costs?

Dr. HICKS. Because the TRICARE benefit will remain one of the finest and most generous health benefits available in the country, with relatively low beneficiary associated costs, we believe that a majority of retirees will continue to use TRICARE as their primary health insurance. Implementing the proposed changes will make TRICARE more sustainable, as the Department will be able to continue to increase investments in patient care—such as building exceptional new medical facilities, improving access to care, and providing preventive services at no cost to our beneficiaries.

20. Senator INHOFE. Dr. Hicks, are other options available for military beneficiaries that are driven out of TRICARE due to cost?

Dr. HICKS. Because the proposed fees are comparatively modest, and based on retirement income, we believe that TRICARE will continue to be an attractive health option for the vast majority of retirees. However, we expect some retirees will opt-out of TRICARE in favor of their employer-sponsored health coverage.

21. Senator INHOFE. Dr. Hicks, do you consider the proposed increases to be fair and appropriate, given the time and the sacrifices of our servicemembers and their families?

Dr. HICKS. Yes; at the end of this effort, the TRICARE benefit will remain one of the finest and most generous health benefits available in the country, better than the TRICARE benefit in 1996, and far lower than costs of other Federal Government employees. The projected savings of $1.8 billion in fiscal year 2013 and $12.9 billion through fiscal year 2017 generated by the proposed TRICARE changes are an essential component for ensuring DOD can successfully meet both the new national defense strategy and the funding caps imposed under the Budget Control Act.

STRATEGY PIVOT TO ASIA

22. Senator INHOFE. Dr. Hicks, in a taped interview about the shift in strategy in January 2012, you maintain that DOD can still execute a two-war strategy. With the cutting of Army and Marine Corps end strength, can you explain how that can be accomplished? We had to grow the force to meet requirements in Operations Iraqi Freedom and Enduring Freedom, and the force was still stressed with minimal dwell time.

Dr. HICKS. When considering how to allocate resources across a range of investment priorities, the Department's leaders assess current and future forces against a number of criteria. For more than 20 years, one of these has been the requirement for joint forces to be able to deter and defeat aggression by an adversary in one region even when our forces are committed to a large-scale operation elsewhere. During last year's strategic review, the Department evaluated the demands of the most plausible potential conflicts and concluded that, although there will be challenges, forces fielded in the fiscal years 2013 to 2017 Future Years Defense Plan will meet this requirement with acceptable risk.

As our strategy makes clear, and as we have seen in Iraq and Afghanistan, it may be necessary for outside forces to assist in establishing conditions suitable for stable self-governance in the aftermath of large-scale ground-intensive conflicts. Our planning calls for retaining forces with sufficient capacity to conduct such post-conflict stability operations on a small scale for a limited period using standing forces or, if necessary, for an extended period with mobilized forces. Recognizing that future circumstances might call for a larger, extended commitment, as occurred over the last decade of war, the defense strategy calls on components to take steps to protect the Department's ability to regenerate and sustain capabilities that might be needed to meet future, unforeseen demands.

GUANTANAMO BAY

23. Senator INHOFE. Dr. Hicks, last week two Uighurs (separatists from western China who were captured in Pakistan at the beginning of the war and held for 10 years at Guantanamo Bay (GTMO)) were transferred out of U.S. custody to El Salvador. The last detainee arrived at GTMO in June 2008; and the total number in U.S. custody is now 169. What is the status of the transfer of the five Taliban fighters to Qatar, and is this an effort by the administration to jump-start talks with the Taliban?

Dr. HICKS. The U.S. Government has made no decision to transfer any Guantanamo detainees to Qatar. Any decision to transfer detainees from Guantanamo to

another country would be made according to applicable legal requirements and in keeping with U.S. national security interests.

24. Senator INHOFE. Dr. Hicks, can you describe the criteria for the release of detainees and do you support releasing them to a host country?

Dr. HICKS. In the past, when a detainee was designated for transfer via the Executive Order Task Force (per Executive Order 13492), it was based on a finding that the detainee could be transferred consistent with the national security and foreign policy interests of the United States. The Task Force followed detainee review guidelines developed specifically for the Executive order review and approved by the Review Panel. The guidelines addressed four types of evaluations relevant to determining whether a detainee should be recommended for transfer, which were as follows: a threat evaluation; an evaluation of potential destination countries; a legal evaluation to ensure that any detainee falling outside the Government's lawful detention authority was recommended for transfer or release; and an evaluation to determine whether a Federal court or military commission prosecution should be recommended for any offenses the detainees may have committed.

The guidelines governing the interagency periodic review process mandated by President Obama's March 7, 2011, Executive Order 13567, now have been issued. The Periodic Review Boards (PRB) will review each Guantanamo detainee to determine whether continued detention is warranted to protect against a continuing significant threat to the security of the United States. In making that assessment, the PRB may review all relevant materials on which the Government seeks to rely to show the detainee should continue to be detained. This includes information from the final Task Force assessments produced pursuant to the interagency review conducted pursuant to Executive Order 13492, the work product of a prior PRB, or any relevant intelligence produced subsequent to either such review. The PRB will also be provided all mitigating information. These boards are another step forward in ensuring that the United States has a principled, credible, and sustainable policy for detention in 21st century warfare.

25. Senator INHOFE. Dr. Hicks, as a senior policy advisor, what is your opinion of GTMO and its operations?

Dr. HICKS. Detention operations at Guantanamo Bay are conducted under the command and control of a joint task force, which is overseen by U.S. Southern Command. These operations are conducted professionally and humanely, and in full compliance with applicable U.S. law and the law of war. The quality of U.S. military personnel at the base is outstanding.

26. Senator INHOFE. Dr. Hicks, do you still believe we are fighting the war on terrorism?

Dr. HICKS. We are currently fighting a war against al Qaeda, its affiliates, and adherents. The President's National Strategy for Counterterrorism is intentionally focused on al Qaeda rather than on terrorism or extremism broadly defined. The Strategy makes clear that our ultimate objective is the defeat of al Qaeda. The Strategy has also made it clear that our focus is on al Qaeda's affiliates and adherents as well, as they continue to plot and plan terrorist attacks against us.

27. Senator INHOFE. Dr. Hicks, as we capture terrorists or other high value targets, do you agree with long-term detention at GTMO as a primary course of action?

Dr. HICKS. Our first priority must be to capture terrorists—to eliminate the threat that an individual poses and to elicit valuable intelligence that can help protect the American people. To the greatest extent practicable, we will work to ensure that we are able to maintain a viable long-term disposition option to keep dangerous individuals off the battlefield, and to ensure that they can no longer threaten the American people or our interests.

This administration has made clear its intention to close the detention facility at Guantanamo Bay, and adding to the population there would undermine those efforts.

28. Senator INHOFE. Dr. Hicks, do you believe that we should prosecute terrorists in military tribunals at GTMO or in the Federal court system?

Dr. HICKS. Both systems—Article III Federal courts and our reformed military commissions—can be used to prosecute terrorists. When determining which system—our Article III Federal courts or our military commissions—to use to prosecute a particular individual, we must remain relentlessly practical, focusing exclusively on which option will produce a result that best serves our national security interests in light of the unique facts and circumstances of each case.

DOD and the Department of Justice together developed a prosecution protocol for guiding these forum decisions, which are made on a case-by-case basis. The protocol looks to factors including the nature of the alleged offense, the nature and gravity of the conduct alleged, the identity of the victims, and the manner of investigation.

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QUESTION SUBMITTED BY SENATOR SUSAN COLLINS

ISRAELI PARTICIPATION

29. Senator COLLINS. Dr. Hicks, not that long ago, the United States withdrew from at least one joint exercise with Turkey, due to Turkey's refusal to allow Israeli participation. Subsequently, I believe we participated in an exercise from which Israel was excluded. What advice will you provide to the Secretary of Defense about participating in exercises from which Israel has been excluded?

Dr. HICKS. DOD remains concerned by diminished ties between Turkey and Israel and continues to urge both countries to find a creative solution to move forward and repair relations. Despite the fact that Israel and Turkey have suspended their military cooperation with one another and that this has affected our ability to exercise with those countries jointly, we continue a range of exercises with both Israel and Turkey in other bilateral and multilateral contexts. The United States does not permit others to determine our security cooperation activities. If confirmed, I would advise the Secretary of Defense to continue that policy and support efforts to strengthen our defense relationship with Israel.

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[The nomination reference of Dr. Kathleen H. Hicks follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*March 19, 2012.*

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

Kathleen H. Hicks, of Virginia, to be a Principal Deputy Under Secretary of Defense, vice James N. Miller, Jr.

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[The biographical sketch of Dr. Kathleen H. Hicks, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DR. KATHLEEN H. HICKS

*Education:*

- Mount Holyoke College
  - September 1988–May 1991
  - A.B., magna cum laude with honors in History, awarded May 1991
- University of Maryland, School of Public Affairs
  - September 1991–May 1993
  - Master of Public Administration, awarded May 1993
- Massachusetts Institute of Technology
  - September 1999–June 2010
  - PhD in Political Science, awarded June 2010

*Employment Record:*

- Office of the Secretary of Defense
  - Deputy Under Secretary of Defense for Strategy, Plans, and Forces
  - 2009–present
- Center for Strategic and International Studies
  - Senior Fellow, International Security Policy
  - 2006–2009
- Office of the Secretary of Defense
  - Office of the DASD for Strategy

- Director for Strategy
- Chief of Staff for QDR Roles, Missions, and Organizations Team
- 2005–2006

- Office of the ASD for Homeland Defense
  - Director for Strategic Planning and Program Integration
  - 2004–2005
- Office of the DASD for Resources and Plans
  - Deputy Director, Resources
  - 2001–2004
- Office of the Secretary of Defense Graduate Fellow
  - Doctoral Candidate, MIT
  - 1999–2001
- Office of the DASD for Strategy
  - Assistant for Strategy Development
  - 1995–1999
- Presidential Management Intern
  - 1993–1995

*Honors and Awards:*

- Secretary of Defense Meritorious Public Service Medal (2012)
- Secretary of Defense Outstanding Public Service Medal (2011)
- Excellence in Leadership Award, Department of Defense Senior Women's Professional Association (2011)
- Secretary of Defense Meritorious Civilian Service Medal (2006)
- Secretary of Defense Exceptional Civilian Service Medal (1999 and 2004)
- Distinction, Ph.D. Comprehensive Exams, Massachusetts Institute of Technology (2001)
- Department of Political Science Fellowship, Massachusetts Institute of Technology (1999–2001)
- Office of the Secretary of Defense Graduate Fellowship, Department of Defense (1999–2001)
- University Graduate Fellowship. University of Maryland (1991–1993)
- Evelyn Church Wilber Prize. Excellence in U.S. History, Mount Holyoke College (1991)
- Inducted, Phi Beta Kappa (1991)

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Dr. Kathleen H. Hicks in connection with her nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Kathleen Holland Hicks.
Kathleen Anne Holland (Maiden Name).

2. **Position to which nominated:**
Principal Deputy Under Secretary of Defense for Policy.

3. **Date of nomination:**
March 19, 2012.

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 25, 1970; Fairfield, CA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Thomas Warren Hicks.

7. **Names and ages of children:**
Benjamin Daly Hicks, 13.
Margaret Elizabeth Hicks, 9.
Alexander Thomas Hicks, 8.

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Point Loma High School, San Diego, CA, 1984–1985.
Lake Braddock Secondary School, Burke, VA, 1985–1988, High School Diploma, May 1988.
Mount Holyoke College, South Hadley, MA, 1988–1991, A.B., May 1991.
University of Maryland, College Park, MD, 1991–1993, Masters of Public Management, May 1993.
Massachusetts Institute of Technology, Cambridge, MA, 1999–2010, PhD, Political Science, June 2010.

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.
Foreign Affairs Specialist (Career GS), Office of the Under Secretary of Defense for Policy, December 1993–May 2005. Pentagon, Washington, DC. Titles: Presidential Management Intern (1993–1995); Assistant for Strategy (1995–1999); OSD Graduate Fellow (1999–2001); Deputy Director for Resources (2001–2004); Director for Homeland Defense Strategy, Plans and Forces (2004–2005).
Senior Executive (Career SES), Office of the Under Secretary of Defense for Policy, May 2005–August 2006. Pentagon, Washington, DC. Titles: Director for Strategy; Chief of Staff, QDR Roles, Missions and Organizations Integrated Process Team (concurrent positions).
Senior Fellow, Center for Strategic and International Studies, August 2006–February 2009. Washington, DC.
Deputy Under Secretary of Defense for Policy. Pentagon, Washington, DC. February 2009-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.
Unpaid consultant to the Office of the Deputy Assistant Secretary of Defense for Policy Planning, August 2006–February 2009.

11. **Business relationships:** List all positions currently held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational, or other institution.
None.

12. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
Member, Council on Foreign Relations.
Hospitality Committee Co-Chair, Charles Barrett Elementary School Parent Teacher Association, 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.

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.

Jack Reed for Senate, 7/13/2006, $250.

Jack Reed for Senate, 9/29/2007, $250.

Obama for President, 9/24/2008, $1,000.

Obama for President, 4/4/2012, $1,000.

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

Pass with Distinction, PhD Comprehensive Exams, Massachusetts Institute of Technology, 2001.

Department of Political Science Fellowship, Massachusetts Institute of Technology, 1999–2001.

Office of the Secretary of Defense Graduate Fellowship, Department of Defense, 1999–2001.

University Graduate Fellowship, University of Maryland, 1991–1993.

Evelyn Church Wilber Prize, Excellence in U.S. History, Mount Holyoke College, 1991.

Phi Beta Kappa, inducted 1991.

Phi Alpha Theta, inducted 1991.

Member, Council on Foreign Relations.

Excellence in Leadership Award, Department of Defense, Senior Women's Professional Organization, 2011.

Secretary of Defense Distinguished Public Service Medal, 2012.

Secretary of Defense Outstanding Public Service Medal, 2011.

Secretary of Defense Meritorious Civilian Service Medal, 2006.

Secretary of Defense Exceptional Civilian Service Medal, 1999 and 2004.

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

"Force Planning in the 2010 QDR," with Samuel J. Brannen, Joint Forces Quarterly, Vol. 59, October 2010.

The Future of U.S. Civil Affairs Forces, with Christine E. Wormuth, Center for Strategic and International Studies, 2009.

Invigorating Defense Governance: Beyond Goldwater-Nichols Phase IV, Center for Strategic and International Studies, 2008.

Transitioning Defense Organizational Initiatives, with David Berteau, et. al., Center for Strategic and International Studies, 2008.

Integrating 21st Century Development and Security Assistance, with J. Stephen Morrison, Center for Strategic and International Studies, 2008.

U.S. National Security and Global Health: An Analysis of Global Health Engagement by the U.S. Department of Defense, with Eugene V. Bonventre and Stacy M. Okutani, Center for Strategic and International Studies, 2009.

"Strengthening AFRICOM's Case," CSIS Commentary, with J. Stephen Morrison and William M. Bellamy, Center for Strategic and International Studies, 5 March 2008.

"A New U.S. Command for Africa," in Global Forecast: the Top Security Challenges of 2008, with Jennifer G. Cooke, Center for Strategic and International Studies, 14 November 2007.

"AFRICOM," CSIS Commentary, with J. Stephen Morrison, Center for Strategic and International Studies, 5 October 2007.

Planning for Stability Operations: The Use of Capabilities-Based Approaches, with Eric Ridge, Center for Strategic and International Studies, 2007.

Department of Defense Environmental Programs: Background and Issues for Congress, with Stephen Daggett, Congressional Research Service Report for Congress (96–218F), 6 March 1996.

Defense Budget: Alternative Measures of Costs of Military Commitments Abroad, Congressional Research Service Report for Congress (95–726F), with Stephen Daggett, 16 June 1995.

Defense Spending: Effect of the Declining Dollar on the Department of Defense Budget, Congressional Research Service Report for Congress (95–663F), 30 May 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.

The nominee responded and the information is contained in the committee's executive files.

17. **Commitment regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

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[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.]

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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.

KATHLEEN H. HICKS.

This 25th day of April, 2012.

[The nomination of Dr. Kathleen H. Hicks was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

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[Prepared questions submitted to Mr. Derek H. Chollet by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense (DOD) Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to re-

cruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. Goldwater-Nichols was landmark legislation that led to dramatic improvements in operational effectiveness, unity of effort, and civilian oversight. There is now a generation of military leaders who are experienced with operating in a coordinated and joint, multi-Service environment. I do not see the need to change the provisions of this legislation.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. See my previous answer.

DUTIES OF THE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS

*Question.* DOD Directive 5111.07 (11/7/2008) delineates the functions and duties of the Assistant Secretary of Defense for International Security Affairs (ASD(ISA)). Under this Directive, the ASD(ISA) is the principal advisor to the Under Secretary of Defense for Policy (USD(P)) and the Secretary of Defense on international security strategy and policy on issues of DOD interest that relate to the nations and international organizations of Europe (including the North Atlantic Treaty Organization (NATO) and Russia), the Middle East, and Africa; their governments and defense establishments; and for oversight of security cooperation programs.

What is your understanding of the duties and functions of the ASD(ISA)?

Answer. The responsibility of the Assistant Secretary of Defense for International Security Affairs is to advise and support the Under Secretary of Defense for Policy and the Secretary of Defense on defense policy and strategy for Europe, the Middle East, and Africa.

RELATIONSHIPS

*Question.* What do you see as the relationship between the ASD(ISA) and each of the following?

The Secretary of Defense.

Answer. Under the direction of the Under Secretary of Defense for Policy, the Assistant Secretary of Defense for International Security Affairs advises the Secretary of Defense on international security strategy and policy on issues of DOD interest that relate to the nations and international organizations of Europe (including NATO), the Middle East, and Africa.

*Question.* The Deputy Secretary of Defense.

Answer. Under the direction of the Under Secretary of Defense for Policy, the Assistant Secretary of Defense for International Security Affairs advises the Deputy Secretary of Defense on international security strategy and policy on issues of DOD interest that relate to the nations and international organizations of Europe (including NATO), the Middle East, and Africa.

*Question.* The Under Secretary of Defense for Policy.

Answer. The Assistant Secretary of Defense for International Security Affairs provides similar support to the Under Secretary as described above.

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

Answer. At the direction of the Under Secretary of Defense for Policy, the Assistant Secretary of Defense for International Security Affairs works closely with the other Under Secretaries of Defense, including the Under Secretary of Defense for Intelligence, to achieve the Secretary's objectives. This includes providing policy input to each Under Secretary, as appropriate. that relates to the nations and international organizations of Europe, the Middle East, and Africa.

*Question.* The Joint Chiefs of Staff.

Answer. At the direction of the Under Secretary or Principal Deputy Under Secretary of Defense for Policy, the Assistant Secretary of Defense for International Security Affairs works with the Joint Chiefs of Staff to provide support on matters that affect strategy and policy for Europe, the Middle East, and Africa, working to ensure that military advice is taken into account in an appropriate manner.

*Question.* The Secretaries of the Military Departments.

Answer. The Assistant Secretary of Defense for International Security Affairs works with the Secretaries of the Military Departments on a broad range of issues related to international security strategy and policy.

*Question.* The combatant commanders, in particular, the commanders of U.S. Central Command, U.S. Africa Command, and U.S. European Command.

Answer. The Assistant Secretary of Defense for International Security Affairs works closely with the commanders of U.S. Central Command, U.S. Africa Command, and U.S. European Command to support the efforts of the Under Secretary of Defense for Policy, Secretary and Deputy Secretary, particularly in the areas of strategy and policy, contingency planning, and policy oversight of operations.

*Question.* The Other Functional and Regional Assistant Secretaries of Defense.

Answer. The Assistant Secretary of Defense for International Security Affairs works with the other functional and regional Assistant Secretaries of Defense to provide sound policy advice to the Under Secretary of Defense and the Secretary of Defense on cross-cutting international security strategy and policy issues.

*Question.* The Director of the Defense Security Cooperation Agency.

Answer. The Assistant Secretary of Defense for International Security Affairs (ASD(ISA) works with the Director of the Defense Security Cooperation Agency on implementation of security cooperation activities, such as Foreign Military Sales, with countries in Europe, the Middle East, and Africa to ensure that these activities support national security policy objectives and strategies.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for the position of ASD(ISA)?

Answer. I believe that my experiences in government—at the Department of State, National Security Council Staff, and as staff in the U.S. Senate—as well as my experience dealing with national security issues in numerous research institutions, provides me with the necessary background to handle the responsibilities of the Assistant Secretary of Defense for International Security Affairs. Throughout my career, I have worked closely with DOD in shaping and implementing U.S. policy in Europe and the Middle East and in managing a wide range of international conflicts and crises. Over the years, I have deeply appreciated the importance of close civil-military coordination to the achievement of U.S. objectives—something that is especially important in meeting the new threats and challenges of the 21st century.

PRIORITIES AND CHALLENGES

*Question.* If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the ASD(ISA)?

Answer. If confirmed, I would work to ensure that DOD pursues a strategic and balanced approach as outlined in the January 2012 Defense Strategic Guidance. Top priorities would include strengthening America's alliances with key partners and allies; ensuring the success and effective transition of the NATO mission in Afghanistan; preventing Iran from acquiring a nuclear weapon; combating terrorism; strengthening security and stability across the Middle East; maintaining a strong relationship with Israel; pursuing a constructive relationship with Russia while supporting the sovereignty and independence of Russia's neighbors; and working with the states of Africa to meet urgent security challenges and achieve opportunities.

*Question.* In your view, what are the major challenges confronting the ASD(ISA)?

Answer. If confirmed, my office will aim to play an important role within the Department and the interagency process in developing policy for a number of key issues, including among others: countering the continuing threat of violent extremism; transitioning security responsibility in Afghanistan in a way that protects U.S. vital interests; preventing the proliferation of weapons of mass destruction (WMD), particularly in Iran; strengthening alliances and partnerships globally to further strengthen U.S. and international security; advancing U.S. interests in the context of dramatic changes that have unfolded and are unfolding in the Middle East and North Africa; and continuing to strengthen the U.S. defense posture globally. A key challenge will be to support the Under Secretary of Defense for Policy, the Secretary of Defense and the U.S. Government in resolving these and other issues—and pursuing opportunities—in the context of significant fiscal pressures.

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

Answer. If confirmed, I would address these challenges by undertaking the development and implementation of DOD and interagency strategies, policies, and plans on key issues relating to Europe, the Middle East, and Africa. I would continue to work closely with other components of DOD in support of the Secretary of Defense, as well as our interagency counterparts, U.S. allies and partners, and where appropriate, the private sector and nongovernmental organizations. I would seek to ensure that strategies, policies, and plans are updated as needed to reflect new challenges and new opportunities. Under the direction of the Under Secretary of Defense

for Policy, I would work to support the President and Secretary's guidance to shape a Joint Force for the future that will be smaller and leaner, but will be flexible, agile, ready, and technologically advanced.

STRATEGY AND CONTINGENCY PLANNING

*Question.* One of the purposes of Goldwater-Nichols was to increase military and civilian attention on the formulation of strategy and contingency planning.

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

Answer. I believe that civilian leadership is critical in the formulation of strategy and planning. Civilian defense leadership is particularly vital in translating broad national security policies and principles into the strategic goals that ultimately drive military planning. The Joint Staff is a critical partner in the development of guidance for contingency planning and provides independent military advice to the Secretary of Defense and the President. In addition to the provision of written guidance, an important civilian role is to review contingency plans submitted for approval by the combatant commanders.

*Question.* In your opinion, does the civilian leadership currently have an appropriate level of oversight of strategy and contingency planning?

Answer. The United States is at a critical time in history—with multiple wars, enduring threats, and imminent challenges. Strong civilian and military partnership on the range of national security issues facing our Nation is vital. I believe that the level of civilian oversight is appropriate. But if confirmed, I will examine this issue closely and seek to ensure that civilian leadership has the appropriate level of oversight on the full range of strategy, planning, and use-of-force issues, while respecting the importance of receiving independent military advice from the Joint Staff and the combatant commanders.

*Question.* What steps do you believe are necessary to ensure effective civilian control and oversight of strategy and contingency planning?

Answer. I agree with the acting Under Secretary of Defense for Policy that DOD should continue to fortify its capacity for strategic thinking and strategic planning to ensure that it not only deal with the challenges of today but is also well-prepared for those of tomorrow.

The DSG released in January is evidence that the Department thinks critically about strategy formulation and its associated resource implications—a trend that, if confirmed, I will continue to work to reinforce. If confirmed, I would strive to provide the best advice possible to the Under Secretary of Defense in the provision of written policy guidance and in the review of contingency plans for Europe, the Middle East, and Africa.

STRATEGIC REVIEWS

*Question.* If confirmed, what role—if any—will you play in the formulation of policy, implementation of policy, and reporting of results for each of the following strategies:

The National Defense Strategy;
The National Military Strategy;
The National Strategy for Counterterrorism;
The Quadrennial Defense Review;
Global Defense Posture Review; and
The Quadrennial Roles and Missions Review.

Answer. With the exception of the National Military Strategy, for which the Chairman of the Joint Chiefs of Staff is responsible, the Secretary of Defense determines the processes and decisionmaking bodies for developing and approving the results of each of these strategic reviews. Although a wide range of approaches and mechanisms have been employed for these purposes over the years, each review is based on candid advice from senior military and civilian leaders and informed by relevant data and analyses. If confirmed, I will provide input into these reviews on matters that affect strategy and policy for Europe, the Middle East, and Africa.

*Question.* If confirmed, what recommendations would you make, if any, to improve DOD's processes for analysis, policy formulation, and decisionmaking relative to each review above?

Answer. Given my experiences at the State Department and on the National Security Council Staff, I have found that the following factors have been associated with successful strategic reviews:

- All relevant stakeholders are represented in formal review and decisionmaking fora. At DOD, these stakeholders generally include Principal Staff

Assistants (PSAs) within the Office of the Secretary of Defense, the Joint Staff, leadership of components, and the combatant commanders.

• Leadership of working groups and review groups is assigned to organizations with the predominant expertise and involvement in the issue areas under examination.

• The deliberations and findings of working groups are transparent and are vetted with stakeholders before being presented to top leadership.

• Senior leadership establishes and maintains hands-on oversight of the overall effort from start to finish.

Also critical for the success of any strategic review is the maintenance of a vibrant, ongoing set of analytical efforts that continually assess the ability of current, programmed, and projected forces to accomplish key missions. If confirmed, I would recommend that insights gained from previous reviews, along the lines of those outlined above, be applied to upcoming reviews, including the development of the next National Defense Strategy and Quadrennial Defense Review.

DEPARTMENT OF DEFENSE STRATEGIC GUIDANCE

*Question.* The new DSG, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense," announced by President Obama on January 5, 2012, sets out the defense priorities for the 21s1 century and the key military missions for which DOD will prepare.

Do you agree with the defense priorities set out in that guidance?

Answer. Yes.

*Question.* If confirmed, what changes, if any, would you recommend to those defense priorities?

Answer. I would not recommend any changes at this time. However, like all strategies and guidance, I believe that it will be important to review and update this guidance in the future.

TRANSATLANTIC RELATIONSHIP AND NATO

*Question.* In your view, how important to U.S. national security interests is the U.S. transatlantic relationship with our European partners?

Answer. NATO remains of vital importance, and is a net provider of global security. As President Obama has said, Europe remains the cornerstone of our engagement with the world, and NATO is the most capable alliance in history.

The transatlantic relationship is of critical importance to U.S. national security, and the transatlantic community has never been more closely aligned in confronting the challenges of a complex, dangerous, and fast-changing world. In Libya, NATO allies came together with Arab and other partners to prevent a humanitarian catastrophe, and to support the Libyan people. In Afghanistan, with nearly 40,000 allied and partner forces alongside our own, we have built and sustained NATO's largest-ever overseas deployment. As Iran has continued to defy its obligations under U.N. Security Council resolutions, the United States, Europe, and other partners have put in place the toughest sanctions yet.

*Question.* What do you see as the main benefits and costs of that relationship?

Answer. Keeping NATO strong both politically and militarily is critical to ensuring the alliance is ready when it is needed. Allies look to the United States for leadership—to craft the compromises necessary to move forward, and to lead the way in keeping NATO strong, relevant, and credible. NATO forces are in Afghanistan, in the Balkans, in pirate-infested waters off Somalia, and last year conducted operations in Libya. Future challenges to the United States and our allies include ballistic missile proliferation, violent extremism, WMD, and global instability. In today's interconnected world, these challenges will be best addressed with the United States working alongside our allies.

*Question.* In your view, what is the role of the NATO alliance in meeting U.S. security interests?

Answer. The United States has important stakes in a strong, mutually supportive NATO alliance, and the President has stressed his strong desire to rebuild and adapt transatlantic security relationships to meet 21st century security challenges. NATO is our most reliable source of coalition partners. NATO's new Strategic Concept is an important step in ensuring that NATO will continue to play its unique and essential role in ensuring the common security of its members, including in meeting U.S. security interests, and it will guide the next phase in NATO's evolution.

*Question.* What are the greatest challenges and opportunities that you foresee for NATO over the next 5 years?

Answer. Over the next 5 years, the top NATO-related challenges include achieving durable progress and a successful transition in Afghanistan, implementing missile defense in Europe, and stemming the deterioration in European military capability. Many of our NATO allies have been under-investing in defense capabilities, especially when it comes to deployable expeditionary forces. Many have significantly reduced their national defense budgets in response to the global economic crisis, and some are planning further cuts. A key challenge—and a key opportunity—will be for allies to determine which capabilities must be sustained and how that can be done in a more cost-effective manner.

*Question.* Do you envision further enlargement of NATO within the next 5 years? What criteria should the United States apply in evaluating candidates for future NATO membership?

Answer. I agree with the President's statement that NATO's door should remain open so long as new candidates are democratic, peaceful, and willing to contribute to common security. Which countries would be candidates for further engagement and within what timeframe NATO would undertake further enlargement are important questions the administration would need to address in close consultation with Congress and our allies. Each NATO aspirant should be judged on its individual merits and progress in implementing political, economic, and military reforms.

*Question.* Should NATO consider an expanded role for Israel beyond the Mediterranean Dialogue?

Answer. Israel is an active and valued partner of NATO through the alliance's Mediterranean Dialogue, which includes practical cooperation as well as political dialogue, both bilaterally with NATO and multilaterally including the other six Partners in the Mediterranean Dialogue. The United States supports and encourages this partnership, and encourages other allies and partners to do so as well. The Mediterranean Dialogue includes an Individual Cooperation Program, developed between NATO and Israel, which outlines Israeli desires for engagement with NATO.

NATO-RUSSIA COUNCIL

*Question.* What, in your view, is the potential of the NATO-Russia Council (NRC) to serve as a forum for promoting cooperation between NATO and Russia on security issues?

Answer. The NRC, and the NATO-Russia Permanent Joint Council before it, have been important drivers of institutionalizing and promoting cooperation between NATO nations and Russia since 1997. While there have been successes in the relationship, the United States can build on existing cooperation and intensify efforts to address the common challenges that our nations face in the 21st century.

The NRC is a dynamic forum for discussions on areas where the two countries disagree, and for constructive dialogue to move forward practical cooperation in areas of shared concern. Both elements of NATO's engagement with Russia are important.

At the 2010 NATO Summit in Lisbon, leaders endorsed the NRC Joint Review of 21st Century Common Security Challenges (Joint Review) that identified five key areas for practical cooperation: Afghanistan, counterterrorism, counter-piracy, countering WMD, and responding to natural and manmade disasters. NATO and Russia have already developed cooperation in these areas, and in particular on Afghanistan, which remains a common cause between Russia and NATO partners. The NRC also cooperates on countering terrorist hijackings of airplanes even as Russian and NATO ships continue to help each other fight piracy in the Indian Ocean.

NATO MISSION IN AFGHANISTAN

*Question.* At the NATO Summit at Lisbon in 2010, the countries participating in the NATO-led International Security Assistance Force (ISAF) affirmed their support for the goal of having Afghan National Security Forces (ANSF) in the lead and providing security throughout Afghanistan by the end of 2014.

Do you support the Lisbon goal of transitioning the security lead in Afghanistan to the Afghan security forces by 2014?

Answer. Yes. I support the strategy that the United States is now implementing along with NATO allies and ISAF partners as originally set forth at Lisbon. I believe a focused counterinsurgency campaign, with a transition plan that includes an enduring U.S. commitment to Afghanistan, is the right strategy. It will allow us to help the Afghans build security forces and government capacity, which can help ensure the security necessary for an Afghanistan that never again becomes a safe haven for terrorists.

While the U.S. and allied strategy in Afghanistan is sound, I also believe that both the administration and ISAF should continue to assess and adjust as necessary

the implementation of the overall strategy based on conditions on the ground. If confirmed, I am committed to consulting with Congress, and with our allies and partners in this regard.

*Question.* In your assessment, is NATO on track to achieve this goal?

Answer. Yes. Transition is progressing on a positive track. ISAF and the Afghan Government are currently implementing the first two tranches of transition, and approximately 50 percent of the Afghan population now lives in areas where the Afghans have the lead for security. I understand the third tranche is to be announced in the spring of 2012 and the fifth and final tranche in mid-2013. As transition progresses, Afghan forces have been able to provide effective security in transition areas.

I understand that important challenges remain between now and the end of 2014. Safe havens for insurgents in Pakistan and Afghan capacity in governance and development remain the most challenging aspects of transition. The limited capacity of the Afghan Government to govern effectively and to fill government positions at the national and sub-national levels hinders the ability to assume leadership on these lines of operation. Efforts in these areas must underpin the success of the security transition in the effort to achieve durable stability in Afghanistan.

*Question.* It appears likely that the Afghan security forces will still need significant assistance and support even after the 2014 transition. In addition to training and equipment, Afghan security forces still lag in certain key enablers, including logistics, airlift, and intelligence, surveillance, and reconnaissance.

What role, if any, do you believe NATO forces should play in Afghanistan after 2014?

Answer. More needs to be done to determine NATO's post-2014 role in Afghanistan, but a sustained and weIl-organized international effort to train, advise, and assist the ANSF will be critical to their success after transition is complete. Going forward, building ANSF enabler capacity, improving the functioning of the Ministries of Defense and Interior, and fighting waste and corruption will also be critical.

The United States and other coalition partners must continue to provide the requisite fiscal and personnel support to help make this happen. Securing the international community's support for the ANSF through 2014 and beyond continues to be a major U.S. interagency effort ahead of the NATO Summit in Chicago this May. The Summit is an opportunity to send a unified message that NATO is on track to achieve our Lisbon goals, and advance a cohesive approach to the closing stages of this war.

BUILDING PARTNER CAPACITY

*Question.* In the past few years, DOD has requested and Congress has provided a number of temporary authorities to build the capacity of partner nations or provide security assistance. These include the section 1206 global train-and-equip authority, targeted authorities to build capacity in Yemen and East Africa, and the Global Security Contingency Fund.

In your view, what are the strategic objectives and priorities for DOD's programs for building the capacity of partner nations?

Answer. In my view, the main strategic objective of the United States in building the capacity of foreign partners is to help them develop effective and legitimate security institutions that can provide for their countries' internal security, and contribute to regional and multilateral responses to threats and instability. This, in turn, mitigates the burden on U.S. Forces responding to security threats outside of the United States, and serves to build a base of countries that can effectively participate in multinational coalition-based operations.

Successfully countering violent extremist networks requires developing and sustaining a global network of allies and partners that is capable and interoperable. Additionally, once partners become capable and have sufficient capacity, they are able to help bolster regional security in a way that supports U.S. interests. In some cases, participation by these partner nations' forces provide cultural and linguistic advantages that afford them better access and effectiveness than U.S. Forces executing the same mission.

Finally, efforts to build partner capacity promote interoperability between forces and enable the U.S. Military to establish personal connections and long-term relationships with foreign counterparts. We can never be certain where in the world U.S. Forces may be required to operate. Enduring relationships with partner nations are at the core of a multinational coalition's strength, helping secure shared access to facilities and territory, information, and diplomatic support.

*Question.* What improvements, if any, would you recommend, if confirmed, to the strategic direction, oversight, and management of DOD's programs for building partner capacity to ensure that these programs are executed consistent with U.S. national security goals and objectives?

Answer. If confirmed, I would continue to support DOD capabilities and investments that encourage and enable partners to develop capable security forces and institutionalize the Department's capacity to provide high impact security force assistance. I would provide recommendations to the Secretary that enable him to make informed choices with regard to the location and frequency of DOD activities that build partners' security capacity. It is essential in this era of shifting focus and constrained resources that we carefully prioritize which partners we engage with, how often, and to what end.

*Question.* What is your assessment of the implementation and effectiveness of DOD's programs for building partner capacity in achieving U.S. national security goals and objectives?

Answer. The Department's capacity-building programs are useful tools that contribute significantly to the achievement of our national security goals and objectives. These programs are most effective when they are closely aligned with the Department of State's foreign policy objectives while addressing critical needs as identified by our foreign partners.

For example, in Georgia, our coalition support authorities have enabled a relatively small partner nation to serve in Afghanistan, not only deploying there with battalion-sized combat units that operate without caveats, but punching well above their weight class while doing so. The provision of high-mobility vehicles, night vision goggles, communications equipment, and training has enabled Georgian forces to make a significant contribution to coalition operations, in turn lessening the burden on U.S. Forces deployed to Afghanistan.

*Question.* In your view, what should be the role of DOD, vis-a-vis the State Department and other civilian departments and agencies, in efforts to build the capacity of foreign security forces?

Answer. The United States will be more successful at deterring and responding to security challenges when allies and partner security forces act in a way that is complementary to U.S. goals and objectives. Our experiences in Iraq and Afghanistan, our continuing efforts to counter violent extremist organizations and transnational criminal organizations, and our preparations for future contingencies clearly illustrate the need for capable partners who can apply capabilities complementary to U.S. military objectives. In that vein, I believe that DOD should sustain and grow the capability to develop partner security forces, especially forces to train, advise, and assist partners during conflict.

Building the capacity of foreign security forces is a shared responsibility within the executive branch, particularly the Departments of State and Defense. Close collaboration between the Departments is a key characteristic of the Section 1206 authority, and one of its greatest strengths. The Global Security Contingency Fund epitomizes this shared responsibility, and represents an opportunity for the State Department and DOD to plan for contingencies jointly, and to establish a new business model for interagency planning of security sector assistance.

RUSSIA

*Question.* What role will you play, if confirmed, in establishing policy with respect to the U.S.-Russia security relationship?

Answer. DOD has been a proponent and a beneficiary of the reset with Russia. The OSD–MOD Defense Relations Working Group and the Joint Staff-General Staff Military Cooperation Working Group revived U.S.-Russia defense and military relations from the low-point after the 2008 Russo-Georgia War. As a result, DOD has a robust military-to-military work plan with the Russian MOD and is constantly looking for ways to improve the relationship and contribute to greater security in the Euro-Atlantic space.

If confirmed, I would play an active role in managing the efforts of the U.S.-Russia Defense Relations Working Group, as well as providing oversight and input to the Joint Staff-led Military Cooperation Working Group and the annual U.S.-Russia Military Cooperation Work Plan, which is developed by U.S. European Command in cooperation with the Joint Staff and the Office of the Secretary of Defense for Policy.

The Defense Relations Working Group, which meets at the Secretary of Defense level and consists of eight subworking groups, has proved to be an effective venue for advancing the U.S.-Russia security relationship. If confirmed, I would chair the Sub-Working Group on Global and Regional Affairs, which enables frank and open

dialogue with our Russian counterparts on issues of key importance, such as the Middle East and North Africa, Afghanistan, Pakistan, and Central Asia, and others. In addition, if confirmed, I would oversee the Deputy Assistant Secretary of Russia, Ukraine, and Eurasian Affairs, which leads the planning and coordination for all meetings of the Defense Relations Working Group at all levels.

*Question.* What do you believe are appropriate objectives for U.S.-Russian security relations, and what do you believe are the areas of common interest between the United States and Russia in the security sphere?

Answer. The United States and Russia should be able to cooperate effectively in the many areas where we share common interests; communicate effectively in areas where we have competing interests; and negotiate reasonably in areas where we have overlapping interests.

Among the most important areas where the United States and Russia have common interests is in countering the proliferation of WMD, particularly nuclear weapons. We have had significant cooperation on, for example, Iran. The Russians cancelled a major weapons sale worth several hundred million dollars to Iran in 2010 and supported UNSCR 1929, which imposed international sanctions on Iran's ballistic missile and nuclear programs. I believe that the United States should continue to seek Russian support to ensure that Iran does not develop nuclear weapons. Similarly, Russia is a key player in reversing North Korea's nuclear and missile programs, and shares common interests in this regard. As a third example, the Cooperative Threat Reduction Program continues to be one of the most successful cooperative programs in the U.S.-Russia relationship. Finally, the United States and Russia share strong interests in reducing the likelihood of nuclear war, as reflected in the New Strategic Arms Reduction Treaty (START).

Russia also has an interest in stability in Afghanistan. Our efforts in Afghanistan have benefited greatly from improved security relations with Russia. The Northern Distribution Network has been critical to continued operations given the closure of our Pakistan ground lines of communication. Russia allows our military personnel, supplies, and equipment to transit its territory by air and rail and will soon allow for reverse transit from Afghanistan. Russia has also been forward-leaning in identifying possible areas of cooperation on counter-narcotics.

*Question.* In your view, what steps should DOD take to improve security relations with Russia? For instance, would you support increased military-to-military relations and exchanges with Russia?

Answer. The 2012 Military Cooperation Work Plan includes more than 100 events and comprises activities such as cadet exchanges, exercises, senior leader visits, and conferences. Over time, cooperation on a wide range of issues may help to build a foundation for more concrete and substantive cooperation with Russia.

*Question.* Would you support other cooperative programs with Russia, including cooperation on missile defense in relation to Iran?

Answer. I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO missile defenses, thereby improving the protection of the United States, our forces overseas, and our allies. Missile defense cooperation strengthens capabilities across Europe to intercept Iranian ballistic missiles and would send a strong signal to Iran—in addition to those sent by U.S. and international sanctions and diplomacy—that Iran's development of missiles and pursuit of nuclear capabilities is reducing rather than enhancing Iranian security.

IRAQ

*Question.* President Obama has said that the withdrawal of all U.S. military forces from Iraq at the end of 2011 marked the beginning of a "new chapter" in the U.S.-Iraq relationship.

In your view, what should be the nature of the long-term U.S.-Iraq security relationship?

Answer. Developing a long-term security relationship with Iraq, as part of a broader enduring commitment to regional peace and security, is one of the highest priorities. This relationship should include consultation on regional security issues, and the continued development of appropriate Iraqi military capabilities. The Strategic Framework Agreement (SFA), as the roadmap for long-term relations, provides the framework for the long-term strategic security relationship.

*Question.* What in your view are the greatest opportunities for U.S.-Iraq security cooperation going forward, and, if confirmed, how would you recommend that DOD pursue those opportunities?

Answer. The Office of Security Cooperation-Iraq (OSC–I), under Chief of Mission authority, is the cornerstone of the long-term U.S.-Iraq strategic security partner-

ship. It will serve as the main vehicle to expand our security cooperation relationship with the Iraqis. On a daily basis, the OSC–I coordinates security assistance and security cooperation activities, and conducts training to support the development and modernization of the Iraq Security Forces.

The Defense and Security Joint Coordination Committee (DSJCC), established under the Strategic Framework Agreement, is another vehicle to strengthen bilateral relations, including security cooperation. If confirmed, I will assist the Under Secretary for Policy in advancing both of these important vehicles for expanding our security cooperation.

*Question.* What do you see as the greatest challenges facing DOD with regard to the U.S. security relationship with Iraq and, if confirmed, how would you recommend meeting those challenges?

Answer. Ensuring Iraq's integration into the regional security framework will remain an important task. The Department will need to continue strengthening its security cooperation activities, while helping to expand Iraq's military engagement with key regional partners.

If confirmed, I would support the DSJCC and would seek to bolster the U.S.-Iraq defense partnership on a wide array of security matters.

*Question.* What is your assessment of the role that Iran is playing within Iraq with respect to Iraq's internal security and stability?

Answer. The Iranian regime will continue to attempt to influence the future of Iraq. However, we have seen that there are real limits to Tehran's ability to affect the trajectory of Iraq. The Iraqi Security Forces have demonstrated the ability to maintain security and prevent the emergence of wide-scale violence.

*Question.* What additional steps, if any, should the United States take to counter Iran's influence within Iraq?

Answer. The strong, sovereign, self-reliant Iraq we see emerging today has no desire to be dominated by Iran or by anyone else. Iraqi nationalism is real and powerful, and the Iraqis have consistently shown their willingness to resist the Iranians and their surrogates when Tehran has overreached. The Iraqis have made clear that they desire a strong and enduring relationship with the United States under the SFA.

For DOD, building the capacity of our partners in the region is a vital avenue for countering destabilizing Iranian activities in Iraq. These efforts have helped shore up the ability of our regional partners to defend themselves. The Foreign Military Sales program with Iraq is the fourth largest in the Middle East and the ninth largest in the world. That represents an Iraqi alignment with the U.S., not Iran. In countering Iranian influence within Iraq, it is important for us to continue to build on this strategic relationship.

IRAN

*Question.* The President said: "America is determined to prevent Iran from getting a nuclear weapon, and I will take no option off the table to achieve that goal."

Do you agree that we should leave all options on the table with respect to Iran? If so, why? If not, why not?

Answer. Yes, I agree with the President that all options should remain on the table to address Iran's illicit activities. It is DOD's responsibility to plan for all contingencies, and through prudent military planning, refine options to protect U.S. and partner interests from Iranian aggression. However, I continue to believe that diplomacy and economic pressure are the most effective tools for changing Iranian behavior at this time.

*Question.* In your view, what should be the role of DOD for advancing the President's policy with respect to Iran?

Answer. DOD plays a supporting role in the whole-of-government strategy of engagement and pressure toward Iran, which is led by the Departments of State and Treasury. In addition to DOD's support of interagency efforts, it is the responsibility of DOD to plan for all contingencies, and to provide the President with a wide range of military options should they become necessary.

*Question.* What more do you believe the United States and the international community could be doing to dissuade Iran from pursuing a nuclear weapons program? Specifically, what actions do you believe that DOD ought to undertake to support diplomatic efforts to dissuade Iran from pursuing a nuclear weapon?

Answer. The United States has a dual-track strategy of engagement and pressure. With the broad support of the international community, the United States has steadily increased the pressure on the Iranian regime to meet its international obligations. The next round of P5+1 talks is set for May 23. In support of the whole-of-government strategy, DOD builds partnership capacity in the region, maintains

a robust force presence to enhance stability and deter regional aggression, and conducts prudent defense planning.

GULF SECURITY COOPERATION

*Question.* The administration has been working with Gulf Cooperation Council (GCC) governments to enhance regional cooperation and security against ballistic missile threats, particularly from Iran.

What is your view of the potential for missile defense cooperation within the GCC to enhance regional security, and how do you see this potential cooperation fitting into the U.S. missile defense efforts in the Middle East?

Answer. GCC interest in missile defense cooperation is increasing in response to the growing ballistic missile challenges to regional security. During the inaugural U.S.-GCC Strategic Cooperation Forum in March, foreign ministers stressed the need to expand individual and bilateral missile defense cooperation to more multilateral collaboration. Greater GCC interest and involvement in missile defense, including through acquisition of advance missile defense technologies and participation in multi-lateral training and exercises, will complement U.S. missile defense efforts and enhance the overall regional security architecture.

*Question.* What role do you see for the sale to the United Arab Emirates of Terminal High Altitude Area Defense (THAAD) and Patriot missile defense systems in regional security against Iranian missile threats?

Answer. The acquisition of THAAD, advanced Patriot missile batteries, and other missile defense technologies bolsters Gulf nations' capabilities to defend against a growing number of regional air and missile threats. Partner nations' procurement of ballistic missile defense (BMD) platforms will lead to improved cooperation and help promote interoperability with U.S. BMD assets and enhance overall regional missile defense.

POST-ARAB SPRING MILITARY-TO-MILITARY ENGAGEMENT

*Question.* The past 18 months have brought great change to the Middle East and North Africa. These changes may require adjustments to our military-to-military engagement efforts throughout the region.

What is your understanding of U.S. military-to-military engagement in the Middle East and North Africa (e.g. Yemen, Tunisia, Egypt, and other countries in the region), and what changes—if any—would you advocate for in light of the Arab Spring?

Answer. The developments of the so-called Arab Awakening present both strategic opportunities and challenges for U.S. interests in the region, and more specifically for U.S. defense objectives. Events of the Arab Awakening have clearly demonstrated that military-to-military partnerships are critical for protecting enduring U.S. security interests, and also for providing a channel through which U.S. defense officials can discuss the importance of reform. As partner governments in transition continue to implement reform agendas, our military-to-military relationships remain vital. If confirmed, I will work to continue to use our security partnerships to deliver messages on reform, focus U.S. security assistance and cooperation activities to elevate reform in the security sector, and leverage our military-to-military relationships to mitigate the risks that arise from the uncertain trajectory of regional developments.

ISRAEL

*Question.* With regard to our relationship with Israel, President Obama has stated: "Our military and intelligence cooperation has never been closer. Our joint exercises and training have never been more robust. Despite a tough budget environment, our security assistance has increased every year. We are investing in new capabilities. We're providing Israel with more advanced technology—the type of products and systems that only go to our closest friends and allies. Make no mistake: we will do what it takes to preserve Israel's Qualitative Military Edge—because Israel must always have the ability to defend itself, by itself, against any threat."

Do you agree with President Obama's position and views with regard to the U.S. security relationship with Israel?

Answer. Yes. The statement that the U.S.-Israel defense relationship is stronger than ever is backed by unprecedented actions that the administration has taken over the past 3 years to improve Israel's security and ensure its Qualitative Military Edge to defend itself, by itself, against any enemy, to include previously unmatched levels of Foreign Military Financing, missile defense funding for Israel's multi-tier rocket and missile defense architecture, and a more expansive set of military exercises. This fifth-generation fighter technology will also ensure Israel's aerial superi-

ority for decades to come. These are just a few examples of the hundreds of tangible efforts that are underway to improve Israel's security.

LIBYA

*Question.* Operations Odyssey Dawn and Unified Protector saved countless Libyans from the potential slaughter at the hands of Muammar Qadhafi and his regime and—ultimately—they also ended a more than 4-decade long reign of a brutal dictator.

What is your understanding of U.S. policy toward Libya in the post-Qadhafi era?

Answer. It is in U.S. interests to build strong ties with the new Libyan Government and support the Libyans through their transition to democracy, in coordination with our partners and the United Nations (U.N.).

Libya is a resource-rich country and can be expected to fund its own reconstruction. However, during this sensitive transition period, the administration believes it is prudent to support limited activities that are critical to U.S. interests to ensure they take place, such as the collection and destruction of MANPADS.

On security policy, I understand that DOD is committed to working with the Libyan Ministry of Defense to encourage a unified, capable, and apolitical military that can effectively deny access to extremists and maintain effective control over its weaponry—including WMD—that is respectful of human rights, and that will be able to work constructively with its neighbors toward regional stability.

*Question.* What is your understanding of the military-to-military relationship between the United States and Libya?

Answer. Following the end of Operation Unified Protector, I understand that DOD is focused on normalizing the bilateral military-to-military relationship and on mitigating the regional fall-out resulting from the turbulence of last year. Given Libya's substantial national assets, the United States is seeking to undertake low-cost, high-impact activities in close coordination with partners and the U.N.

Within this context, I understand DOD is prioritizing assistance to focus on building institutional capacity and on improving the Libyans' ability to counter terrorism, counter weapons proliferation, and secure and destroy their chemical weapons stockpiles.

It is my understanding that DOD has offered the Libyan Ministry of Defense advisory support through the Defense Institute Reform Initiative and Global Ministry of Defense Advisors programs to assist in the process of establishing defense institutions and armed forces. Other projected activities include non-lethal train-and-equip missions, invitations to multilateral military exercises, professional military education at U.S. institutions, and English language training.

*Question.* What opportunities and challenges does post-Qadhafi Libya present to the United States? If confirmed, what actions would you undertake to take advantage of and to address these opportunities and challenges?

Answer. Libya is still very much a country in transition. Its prospects are good, but the path to democracy is difficult. There have been sporadic instances of militia violence, retributive attacks, and power jockeying. The U.S. Government is taking these events seriously, but recognizes that they are not systematic or occurring on a scale that represents a serious threat to the stability of the new government.

While the challenges are great, the opportunities are even greater. There is tremendous goodwill towards the United States in Libya right now, and there is a unique opportunity to forge a strong and mutually beneficial relationship with a newly emerging democracy.

The Libyan Government understands the need to consolidate control over the militias and I understand that senior Libyan officials have assured DOD that they consider the establishment of a national army and police force top priorities. Indeed, progress is already being made in this area.

BALLISTIC MISSILE DEFENSE

*Question.* In February 2010, DOD issued its report on the first-ever comprehensive review of U.S. BMD policy and strategy, the Ballistic Missile Defense Review (BMDR), as required by Congress. The BMDR established a number of policy priorities, including establishing defense against near-term regional missile threats as a top priority of missile defense plans, programs, and capabilities.

Do you support the policies, strategies, and priorities set forth in the Ballistic Missile Defense Review?

Answer. Yes, I support the policies, strategies, and priorities set forth in the 2010 Report of the BMDR.

*Question.* Do you agree that our missile defense must be fiscally sustainable?

Answer. Yes. DOD has tailored its budget request to fiscal requirements. The Department has used a clear set of priorities to guide spending decisions in this mission area. It has protected our top missile defense priorities, including defending the Homeland, implementing the European Phased Adaptive Approach (EPAA), and pursuing Phased Adaptive Approaches (PAA) in the Middle East and Asia-Pacific.

*Question.* In September 2009, President Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to pursue a PAA to missile defense in Europe. This approach is intended to defend all of Europe against existing and emerging threats from Iranian missiles, increasing in capability with each of its four phases. Phase 4 of the EPAA is intended to provide a capability to defend against potential future long-range missiles from Iran that could reach the United States, thus augmenting the existing Homeland missile defense capability.

Do you support the PAA to missile defense in Europe and, if confirmed, will you implement it?

Answer. Yes, I support the EPAA and, if confirmed, I will support its implementation.

*Question.* Do you agree that any BMD systems (BMDS) that we deploy operationally must be operationally effective, suitable, survivable, cost-effective, affordable, and should address a credible threat?

Answer. Yes. I believe that DOD should continue to subject new BMD capabilities to testing under realistic operational conditions against realistic targets. DOD should invest in BMD capabilities that are fiscally sustainable over the long-term, mobile, and relocatable.

*Question.* Do you agree that BMD testing needs to be operationally realistic, and should include operational test and evaluation, in order to assess operational capabilities and limitations of BMDS, prior to deploying such systems?

Answer. Yes. U.S. BMD testing needs to be operationally realistic and include robust operational test and evaluation. Realistic testing of the system allows us to field new capabilities as they become available and integrate them into the BMDS architecture. The fly-before-you-buy policy outlined in the Report of the BMDR still makes good sense.

*Question.* The United States and NATO are seeking options to cooperate with Russia on missile defense, including the possibility of sharing radar and early warning data. President Obama has announced that such cooperation would not limit U.S. or NATO missile defense capabilities.

Do you agree that such cooperation could enhance the security of the United States, NATO, and Russia against common missile threats from Iran, and could send a powerful signal to Iran that could help persuade Iran not to pursue long-range missiles or nuclear weapons?

Answer. Yes. I believe that missile defense cooperation with Russia could strengthen common defenses against Iranian missiles, and send an important signal to Iran that Russia and the United States are working together to counter the acquisition, deployment, and use of ballistic missiles.

*Question.* Do you agree that, notwithstanding Russian concerns, the United States is committed to the continued development and deployment of U.S. missile defense systems, including qualitative and quantitative improvements to such systems, needed to meet our security needs?

Answer. Yes. The United States has pursued missile defense cooperation with Russia with the clear understanding that we would not accept constraints on missile defense and that we would undertake necessary qualitative and quantitative improvements to meet U.S. security needs.

AL QAEDA

*Question.* What is your assessment of the threat posed by al Qaeda, its affiliates, and adherents in the geographical area of responsibility (AOR) for ASD(ISA) to the United States, our allies, and our interests?

Answer. In the ISA AOR, al Qaeda in the Arabian Peninsula (AQAP) poses the most direct threat to the United States. AQAP has exploited a year of political unrest in Yemen to expand its area of operations in remote provinces, and continues to threaten domestic stability while actively plotting operations against the United States.

AQAP has strong connections to al-Shabaab in Somalia, which represents a terrorist threat to the United States and its regional interests and is an insurgent problem to the Somali Transitional Federal Government and Somali regional administrations.

In Iraq, al Qaeda in Iraq (AQI) has been significantly weakened. Shia militants continue to observe a cease-fire and are engaged in reconciliation talks with the Government of Iraq. While AQI has attempted to make a comeback, they do not pose a significant threat to Iraq's overall stability.

AQI is also seeking to exploit instability in Syria, further fueling an already volatile situation there. In North and West Africa, al Qaeda in the Lands of the Islamic Maghreb (AQIM) uses ungoverned spaces in the Maghreb and Sahel as a safe haven. Originally focused on overthrowing the Government of Algeria, AQIM evolved and now has a stated intent to attack Western targets. There are clear indications that AQIM is now involved in trafficking arms from Libya.

*Question.* What is your understanding of DOD's ongoing effort to combat al Qaeda in the geographical AOR for ASD(ISA)?

Answer. The Department is working closely with multiple regional and interagency partners to disrupt, degrade, dismantle, and defeat al Qaeda and its affiliates and adherents. The Department provides training, advice, and assistance to regional security forces in order to build enduring counterterrorism partnerships and capabilities and to deny al Qaeda safe haven.

AFRICA-RELATED SECURITY MATTERS

*Question.* The new DSG, "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense," announced by President Obama on January 5, 2012, sets out the defense priorities for the 21st century and the key military missions for which DOD will prepare. The primary emphasis of the strategy relates to the Middle East and Asia. The strategy makes little reference to Africa and its myriad security challenges.

In light of the emphasis on areas outside of the African continent, if confirmed, how would you draw attention to the myriad security challenges confronting African nations?

Answer. The new DSG makes clear that from a regional prioritization perspective, the Department will rebalance toward the Asia-Pacific region. From a mission perspective, however, the guidance also clearly directs a strong focus on counterterrorism and irregular warfare, in particular holding al Qaeda and affiliates (AQAA) under constant pressure wherever they may be. In light of this focus and growing AQAA presence on the continent, I do not anticipate a lack of attention to African security challenges.

COUNTERING THE LORD'S RESISTANCE ARMY

*Question.* On October 14, 2011, the President announced the deployment of approximately 100 members of the U.S. Armed Forces to the central Africa region to assist the efforts of regional militaries to remove Joseph Kony and his top lieutenants from the battlefield.

What is your understanding of this ongoing operation in central Africa?

Answer. The United States continues to pursue a multi-faceted, comprehensive strategy to help the region eliminate the threat posed by the Lord's Resistance Army (LRA). The pillars of this strategy include increasing protection of civilians; apprehending or removing Joseph Kony and senior commanders from the battlefield; promoting the defection, disarmament, demobilization, and reintegration of remaining LRA fighters; increasing humanitarian access; and providing continued relief to affected communities.

One part of this strategy is the deployment of U.S. military advisors to the LRA-affected region. As part of their advise-and-assist mission, the military advisors are building relationships with military and civilian leaders and working with regional forces to increase overall effectiveness. It is too early to quantify the direct impact of the deployment of U.S. advisors, but my understanding is that DOD is satisfied with the steady progress of the deployment to date, considering the complexity of the operating environment, the number of partners involved, and the remoteness of the operational areas. As per the President's announcement on April 23, the deployment of U.S. Forces will continue. DOD will continue to regularly assess and review whether we are making sufficient progress.

*Question.* If confirmed, what changes—if any—would you advocate to make to this ongoing operation?

Answer. I look forward to becoming more familiar with this operation, if I am confirmed. Based on my understanding of this operation and its intent, I believe it is on the right track. I understand that several areas for bolstering the operation have been identified and are being addressed, including intelligence and logistics capacity, building the capacity of partner forces, and increasing LRA defections. If confirmed, I will work to reinforce these efforts in the months ahead.

COMBATING TERRORISM

*Question.* During the summer of 2011, the Obama administration released its National Strategy for Counterterrorism. This strategy highlights the need to maintain pressure on al Qaeda's core while building the capacity of partners to confront mutual threats. The strategy also underscores the need to augment efforts to counter threats from al Qaeda-linked groups "that continue to emerge from beyond its core safe haven in South Asia."

If confirmed, what would be your role within DOD with respect to combating terrorism?

Answer. If confirmed, I would support the Under Secretary of Defense for Policy in the formulation of national security and defense policy on matters relating to Europe, the Middle East, and Africa, including counterterrorism policy. My role, if confirmed, would be to assist the Under Secretary of Defense for Policy in formulating, coordinating, and presenting the views of the Secretary on counterterrorism policy issues. Currently, these are mainly focused on the effort to disrupt, dismantle, and defeat al Qaeda, which includes operations and activities against its allies, adherents, and affiliates, but we also recognize that there are other terrorist groups that may seek to cause harm to the United States, its interests, and allies.

Under the direction of the Under Secretary of Defense for Policy, if confirmed, I would work closely in my performance of these duties with the Under Secretary of Defense for Intelligence, the DOD General Counsel, the Joint Staff, and the other regional and functional Assistant Secretaries in the Office of the Under Secretary of Defense for Policy, particularly the Assistant Secretary for Special Operations and Low Intensity Conflict, who has the Department lead for all special operations and low-intensity conflict matters. I would carefully consider the views of our interagency colleagues and international partners to craft whole-of-government solutions to counterterrorism problems.

MULTILATERAL PEACEKEEPING OPERATIONS

*Question.* In testimony before the House Committee on Foreign Affairs on July 29, 2009, Ambassador Susan Rice, U.S. Ambassador to the United Nations, stated that the United States "is willing to consider directly contributing more military observers, military staff officers, civilian police, and other civilian personnel—including more women I should note—to U.N. peacekeeping operations."

What is your view on whether the United States should contribute additional military personnel to both staff positions and military observers in support of U.N. peacekeeping operations?

Answer. In general, if confirmed, I would support considering additional contributions of U.S. military personnel to staff officer positions, provided that they are positions that would add significant value to the mission, and that the mission is a strategic priority for the United States.

Support for international peacekeeping remains an important security objective for the U.S. Government, and the United States has a stake in the success of U.N. peacekeeping operations. I believe that, where practicable, the United States should continue to provide military personnel for U.N. peacekeeping operations, especially for key staff positions that can help shape the direction and success of the mission. If confirmed, I will carefully evaluate any proposals to contribute military or civilian personnel to a U.N. peacekeeping operation, weighing the potential positive impact of U.S. participation in the mission against other military commitments we have around the globe, and the estimated cost of U.S. involvement.

*Question.* What are the advantages and disadvantages of contributing additional military personnel to U.N. operations?

Answer. There are several potential advantages to contributing additional military personnel to U.N. missions: the opportunity to shape these missions from the inside and contribute to the success of the mission; professional development opportunities for military personnel to serve in a combined, multi-lateral environment; and the benefit of receiving real-time information and insights on emerging threats and crises from places where there might not otherwise be a U.S. presence. It also enables an increased professional interaction by U.S. military personnel with numerous partner nations' military personnel, with whom we may not normally have the opportunity to serve.

The potential disadvantage of providing additional military personnel is the additional demands these assignments would impose on a U.S. military force that has seen extensive deployments in recent years, and that is still heavily engaged in overseas operations. I do not believe that the United States will be in a position to provide significant numbers of military personnel to peacekeeping missions at anytime in the near future. However, I believe the selective placement of even modest

numbers or U.S. military personnel, in addition to the personnel we currently have assigned to U.N. operation, can have a significant, positive effect on U.N. peacekeeping operations.

SPECIAL OPERATIONS AUTHORITIES

*Question.* Some have advocated providing the Commander of U.S. Special Operations Command with new authorities that would, among other things, better resource the Theater Special Operations Commands (TSOC) and provide Special Operations Forces with additional flexibility and funding to build the capacity of partner nation security forces.

Do you believe additional special operations-specific authorities are appropriate? If so, what types of authorities would you suggest?

Answer. It is my understanding that the TSOCs are essential to all facets of the Geographic Combatant Commanders' (GCC) engagement and campaign plans. The Department is currently conducting a full-scale review of authorities to guarantee that it is providing the TSOCs the flexibility and agility to best meet GCC objectives.

U.S. MILITARY BASING IN EUROPE

*Question.* DOD has announced reductions of approximately 10,000 of the 80,000 U.S. military personnel currently stationed in Europe, including 2 of 4 brigade combat teams (BCT) in Europe drawing down over the next 2 years.

Do you support the decision to reduce the U.S. Force posture in Europe, including the drawdown of two of four BCTs?

Answer. Yes, I support Secretary Panetta's decision to adjust the U.S. force posture in Europe, including the inactivation of two BCTs. Over the past 10 years, forces assigned to the U.S. European Command (EUCOM) were frequently deployed into the U.S. Central Command AOR, so a steady state of two BCTs in Europe now would be an improvement in availability. The two remaining BCTs will provide the EUCOM Commander with adequate ground maneuver capability to meet operational and training requirements. To mitigate the impact of inactivating two BCTs, the Department is preparing to initiate the periodic rotation of a maneuver battalion task force into the EUCOM AOR in order to promote enhanced capacity and interoperability with our European allies and partners.

*Question.* Do you believe that further reductions in the U.S. Force posture in Europe are in order? Why or why not?

Answer. Maintaining interoperability with European militaries is critical to our ability to form effective coalitions to address global security challenges. As coalition operations in Afghanistan wind down, our ability to train with European allies and partners to prepare for future missions is essential. Therefore, we must maintain a strong presence in Europe, emphasizing combined training, exercises and military cooperation, as well as new capabilities, such as missile defense. To this end, we must reorient the remaining U.S. ground forces and plans for a U.S. Army rotational battalion toward broad-spectrum training, continue implementation of the EPAA (the United States has already established a radar system in Turkey and will be stationing SM–3 missiles in Romania and Poland and forward deploying four BMD-capable ships to Spain), and create an aviation detachment in Poland.

ARMS CONTROL

*Question.* What role will you have, if confirmed, in future arms control negotiations, such as a follow-on to the New START treaty?

Answer. Negotiation of arms control agreements, such as a follow-on to the New START treaty, is the responsibility of the Assistant Secretary of Defense for Global Strategic Affairs. If confirmed, I will work with the Assistant Secretary of Defense for Global Strategic Affairs in supporting any future negotiation. Arms control plays an important role in advancing U.S. national security by providing predictability and stability in certain strategic relationships, particularly in U.S.-Russian relations. Arms control should never be an end unto itself; nor is it a tool that can be employed without the context of a well-prepared and effective military force.

DETAINEE TREATMENT POLICY

*Question.* Do you support the provisions of section 1403 of the National Defense Authorization Act for Fiscal Year 2006 which state that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment?

Answer. I believe the prohibition on cruel, inhuman, or degrading treatment or punishment is clearly in America's best strategic interest and consistent with American values. During the long history of the Cold War, when America's way of life was challenged by a powerful competing ideology, we were ultimately successful, in part, because we held true to the best ideals and principles that sustained America as a shining beacon to millions under totalitarian rule. Power in the 21st century will stem as much from the strength and appeal of our ideas and moral principles as from our military might. If we are to defeat violent extremism, we must hold true to those ideas that make this country great and continue to inspire the growth of freedom and tolerance around the world.

*Question.* Do you support the policy set forth in the July 7, 2006, memorandum issued by the Deputy Secretary of Defense stating that all relevant DOD directives, regulations, policies, practices, and procedures must fully comply with Common Article 3 of the Geneva Conventions?

Answer. Yes.

*Question.* If confirmed, will you take steps to ensure that all relevant DOD directives, regulations, policies, practices, and procedures fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Answer. Yes, I will.

*Question.* Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the DOD Detainee Program, dated September 5, 2006?

Answer. Yes.

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 ASD(ISA)?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

NUCLEAR MODERNIZATION

1. Senator INHOFE. Mr. Chollet, in the 2010 Nuclear Posture Review (NPR) and during the discussion on the New Strategic Arms Reduction Treaty (START), the administration made substantial commitments to the sustainment and modernization of the U.S. nuclear deterrent. Enhanced safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of the nuclear delivery systems are integral to maintaining our nuclear deterrence. Do you support the triad of bombers with gravity bombs and nuclear cruise missiles, ballistic missile submarines, and intercontinental ballistic missiles (ICBM)?

Mr. CHOLLET. The NPR concluded that U.S. nuclear weapons—including the U.S. triad of ICBMs, submarine launched ballistic missiles, and nuclear-capable heavy bombers—have played an essential role in extending deterrence against nuclear attacks or nuclear-backed coercion to our allies and partners. The review determined that each leg of the triad presents advantages that warrant the United States re-

taining the triad under the New START. I agree with the review's analysis and support its conclusion that retaining each of the three triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.

2. Senator INHOFE. Mr. Chollet, it has been reported that President Obama is weighing options for sharp new cuts to our nuclear arsenal unilaterally, potentially up to 80 percent, proposing 3 plans that could limit the number to as low as 300. Is the United States considering unilaterally reducing its arsenal of nuclear weapons?

Mr. CHOLLET. The NPR states that in the near- to mid-term, the United States will reduce its strategic-deployed nuclear force through arms control agreements with Russia, initially by the New START. The NPR envisions further negotiations with Russia after the entry-into-force of the New START aimed at achieving additional reductions. As Secretary Panetta recently testified, the Department has presented options for reducing the nuclear arsenal to the President, but these options are not unilateral—rather, they are based on potential bilateral negotiations with Russia.

3. Senator INHOFE. Mr. Chollet, how would a unilateral reduction impact our ability to deter, provide extended deterrence, and defend ourselves, if attacked?

Mr. CHOLLET. The NPR states that any future nuclear reductions must ensure deterrence of potential adversaries, strategic stability vis-a-vis Russia and China, and assurance of our allies and partners. It also states that implementation of the Stockpile Stewardship Program and nuclear infrastructure investments will facilitate reductions while sustaining deterrence under the New START and beyond. The NPR makes clear that Russia's nuclear force will remain a significant factor in determining how much and how fast the United States is prepared to reduce its nuclear forces. Since any planned reduction will take these factors into consideration, such a reduction would not negatively impact the ability of the United States to deter, provide extended deterrence, and defend itself.

4. Senator INHOFE. Mr. Chollet, how would unilateral reductions affect nuclear proliferation?

Mr. CHOLLET. I agree with the NPR determination that reducing the role and numbers of U.S. nuclear weapons would strengthen the United States' ability to persuade our Nuclear Nonproliferation Treaty partners to adopt similar measures needed to reinvigorate the nonproliferation regime and secure nuclear materials worldwide.

5. Senator INHOFE. Mr. Chollet, is it important to maintain our nuclear triad?

Mr. CHOLLET. Yes. As the NPR determined, each leg of the U.S. triad of ICBMs, submarine launched ballistic missiles, and nuclear-capable heavy bombers presents advantages that warrant the United States retaining the triad under New START. I agree with the review's analysis and support its conclusion that retaining each of the three triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.

6. Senator INHOFE. Mr. Chollet, are you committed to the nuclear modernization plan, referred to as the 1251 plan, that was the basis for Senate support for the New START Treaty?

Mr. CHOLLET. If confirmed, I am committed to supporting, within my area of responsibility as the Assistant Secretary of Defense for International Security Affairs, the NPR's objective of maintaining a safe, secure, and effective nuclear deterrent. The NPR makes clear that in order to remain safe, secure, and effective, the U.S. nuclear stockpile must be supported by a modern physical infrastructure. While the Department is committed to the 1251 Report, it is my understanding that budget cuts may require changes to the implementation of the NPR and the 1251 Report.

7. Senator INHOFE. Mr. Chollet, do you support modernization of our nuclear weapons labs, and if so, would you characterize this funding as national security activities?

Mr. CHOLLET. I fully support the modernization of our nuclear weapons labs. As stated in the NPR, increased investments in nuclear infrastructure and a highly skilled workforce are needed to ensure the long-term safety, security, and effectiveness of our nuclear arsenal. Funding for modernization supports the full range of nuclear security work, including nonproliferation, nuclear forensics, nuclear counterterrorism, emergency management, intelligence analysis, and treaty verification—all

of which I would characterize funding for modernization of our nuclear weapons labs as funding to support national security activities.

STRATEGY PIVOT TO ASIA

8. Senator INHOFE. Mr. Chollet, what has changed globally that allows the United States to decrease the size of its military?

Mr. CHOLLET. As Secretary Panetta has said, the United States is at a strategic turning point after a decade of war. The U.S. military's mission in Iraq has ended and we are enabling a transition of security responsibility in Afghanistan. Targeted counterterrorism efforts have significantly weakened al Qaeda and decimated its leadership. Although Congress has mandated that the Department of Defense achieve significant defense savings, a strategic shift was necessary regardless of the Nation's fiscal situation. As the President and Secretary have made clear, the reductions the Department is proposing are driven by rigorous analysis of the changing security environment. The U.S. Joint Force will be smaller and leaner, but it will be more agile, more flexible, ready to deploy quickly, innovative, and technologically-advanced—prepared to meet complex future challenges. Moreover, the Secretary has said that the reductions in the Nation's ground forces will be structured in such a way that the forces can surge, regenerate, and mobilize capabilities needed for any contingency.

9. Senator INHOFE. Mr. Chollet, has the world become more secure—has there been an increase in stability in the Middle East, Eastern Europe, Africa, the Americas, and Asia?

Mr. CHOLLET. I believe that the global security environment is changing and presents an increasingly complex set of challenges and opportunities—which brings opportunities for both greater stability and instability.

For example, it is clear that U.S. economic and security interests are inextricably linked to developments in the arc extending from the Western Pacific and East Asia into the Indian Ocean region and South Asia. Building and sustaining relationships with allies and key partners in this region will be critical to the future stability and growth of the region. In the Middle East, regime changes as a consequence of the Arab Spring, as well as tensions within and among states under pressure to reform, present strategic opportunities but also uncertainties. Europe remains our principal partner in seeking global and economic security and stability, yet security challenges and unresolved conflicts persist in parts of Europe and Eurasia—and the economic crises in Europe are deeply concerning. In Africa, a number of urgent challenges remain—including terrorist threats, humanitarian crises, and armed conflicts—and we must continue working with African partners to help foster stability and prosperity throughout the continent. The United States must also pursue partnerships with the growing number of Latin American nations whose interests and viewpoints are merging into a common vision of freedom, stability, and prosperity.

If confirmed, I will work to strengthen America's alliances with key partners and allies, as well as pursue relationships with new strategic partners in the Middle East, Europe, and Africa.

GUANTANAMO BAY

10. Senator INHOFE. Mr. Chollet, do you still believe we are fighting the war on terrorism?

Mr. CHOLLET. The 2011 National Strategy for Counterterrorism articulates that our principal focus is on fighting those organizations that pose the most direct and significant threats to the United States—and during the past 3-plus years, we have been doing so with greater lethality and precision. We continue relentlessly to fight a war against al Qaeda, and its affiliates and adherents—and since 2009 we have eliminated more key al Qaeda leaders, including Osama bin Laden, in rapid succession than at any time since September 11, 2001.

11. Senator INHOFE. Mr. Chollet, as we capture terrorists or other high value targets, do you agree with long-term detention at Guantanamo Bay as a primary course of action?

Mr. CHOLLET. As President Obama has made clear, the United States must work to bring terrorists to justice, consistent with our commitment to protect the American people and uphold our values. That's why the Obama administration has worked to maintain a viable long-term option to keep dangerous individuals off the battlefield and to ensure they can no longer threaten the American people or our interests. The administration remains committed to closing the detention facility at

Guantanamo Bay, and to maintaining a lawful, sustainable, and principled regime for the handling of detainees there, consistent with the full range of U.S. national security interests.

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QUESTIONS SUBMITTED BY SENATOR SUSAN M. COLLINS

ISRAELI PARTICIPATION

12. Senator COLLINS. Mr. Chollet, earlier this week it was reported that Turkey refused to allow Israel to take part in the North Atlantic Treaty Organization (NATO) summit occurring next month. What is the U.S. view on Turkey's refusal to consider Israel's participation?

Mr. CHOLLET. Contrary to press reporting, NATO issues in which Israel is an active partner, such as the Mediterranean Dialogue, are not on the agenda for the Chicago Summit—so there was no intention to invite Israel. Non-NATO nations attending the Chicago Summit were invited to discuss specific summit agenda items related to the International Security Assistance Force, the Northern Distribution Network, and Smart Defense Initiatives.

However, I remain concerned about the continued tensions between Turkey and Israel. Israel is a key security partner of the United States and we would find unacceptable an attempt by any country to disrupt our cooperation. If confirmed, I will work to ensure that Israel's partnership with the NATO alliance remains strong.

13. Senator COLLINS. Mr. Chollet, in general, do you believe that Israel's participation in NATO activities has benefited the alliance, and if so, what can the United States do to enable Israeli participation?

Mr. CHOLLET. Israel continues to be an active and valued partner of NATO through the alliance's Mediterranean Dialogue program. Israel's participation benefits the alliance. Mediterranean Dialogue countries work with NATO, both individually and as a group (Israel is one of seven current Mediterranean Dialogue partners), for practical cooperation as well as political dialogue. That cooperation includes individual cooperation programs developed between NATO and each respective Mediterranean Dialogue partner; Israel, in 2006, became the first Mediterranean Dialogue country to develop such a program, outlining its desires for cooperation with NATO, and it is now working on an update. Israel actively engages in a full range of political dialogue, including at top levels, both bilaterally with NATO and in various NATO and Mediterranean Dialogue meetings. The United States strongly values Israel as a NATO partner, supports and encourages this partnership, and encourages other allies and partners to do so as well.

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[The nomination reference of Mr. Derek H. Chollet follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*March 19, 2012.*

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

Derek H. Chollet, of Nebraska, to be an Assistant Secretary of Defense, vice Alexander Vershbow.

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[The biographical sketch of Mr. Derek H. Chollet, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF DEREK H. CHOLLET

*Education:*

- Cornell University
  - September 1989–May 1993
  - Bachelor of Arts Degree awarded May 1993
- Columbia University, Department of Political Science
  - September 1995–1998

- PhD Candidate, Department of Political Science (passed exams in 1998)

*Employment Record:*

- The White House, National Security Council Staff
  - Special Assistant to the President
  - Senior Director for Strategic Planning
  - February 2011–present
- U.S. State Department, Policy Planning Staff
  - Principal Deputy Director
  - February 2009–2011
- Obama-Biden Presidential Transition Team
  - NSC Agency Review Team Member
  - November 2008–January 2009
- Center for a New American Security
  - Senior Fellow
  - February 2007–2009
- Brookings Institution
  - Nonresident Fellow, Global Economy and Development Program
  - February 2006–2009
- Georgetown University
  - Adjunct Associate Professor, Security Studies Program
  - June 2006–January 2009
- Center for Strategic and International Studies
  - Fellow, International Security Program
  - February 2005–2007
- Kerry-Edwards 2004
  - Policy Director for National Security
  - July–November 2004
- U.S. Senator John Edwards (D–NC)
  - Foreign Policy Advisor
  - August 2002–July 2004
- The American Academy in Berlin
  - Bosch Public Policy Fellow
  - January–June 2002
- The George Washington University, Institute for European, Russian, and Eurasian Studies
  - Research Associate and Visiting Scholar
  - February 2001–2002
- The Honorable Strobe Talbott
  - Research Assistant
  - February 2001–2002
- U.S. Mission to the United Nations and Office of the Deputy Secretary of State
  - Joint Appointment, Chief Speechwriter to U.N. Ambassador Holbrooke and Special Advisor to Deputy Secretary of State Talbott
  - February 1999–2001
- The Honorable Warren Christopher
  - Research Assistant
  - May 1997–1999
- The Honorable Richard Holbrooke
  - Research Assistant
  - January 1997–April 1998
- U.S. State Department
  - Consultant to Bureau of Public Affairs
  - June 1996–February 1997
- The Honorable James A. Baker III
  - Research Assistant
  - June 1993–July 1995

*Honors and Awards:*

- State Department Superior Honor Award (November 2010)
- State Department Meritorious Honor Award (January 2001)
- Presidential Fellowship, Columbia University (1995–1999)
- Graduated magna cum laude, with distinction in all subjects, Cornell University (1993)
- Frederick G. Marcham Fellowship, Cornell University (1993)
- John F. Kennedy Scholarship, Cornell University (1993)
- Harry S. Truman Scholarship (1992)
- Dean's List, Cornell University

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[The Committee on Armed Services requires all individuals nominated from civilian life by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Mr. Derek H. Chollet 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.)
Derek H. Chollet.

2. **Position to which nominated:**
Assistant Secretary of Defense for International Security Affairs.

3. **Date of nomination:**
March 19, 2012.

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:**
November 17, 1970; Champaign, IL.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Heather Quinn Hostetter.

7. **Names and ages of children:**
Lucas Chollet Hostetter, age: 5 (Born January 8, 2007).

8. **Education:** List secondary and higher education institutions, dates attended, degree received, and date degree granted.
Cornell University, 1989–1993 (BA May 1993).
Columbia University, 1995–1998 (Ph.D Candidate; no degree, passed exams in 1998).

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.

The White House, National Security Council Staff, Special Assistant to the President and Senior Director for Strategic Planning, February 2011–present.

U.S. State Department, Policy Planning Staff, Principal Deputy Director, February 2009–2011.

Senior Advisor to Secretary of State Hillary Clinton, and managed 40 person planning staff. Awarded State Department's Superior Honor Award in November 2010.

Obama-Biden Presidential Transition Team, NSC Agency Review Team, November 2008–January 2009.

Conducted review of NSC structure, process, and personnel for incoming Obama administration.

Center for a New American Security, Senior Fellow, February 2007–2009.

Brookings Institution, Nonresident Fellow, Global Economy and Development Program, February 2006–2009.

Georgetown University, Adjunct Associate Professor, Security Studies Program, June 2006–January 2009.

The George Washington University, Adjunct Associate Professor, Elliot School for International Affairs, September 2006–June 2007.

Center for Strategic and International Studies, Fellow, International Security Program, February 2005–2007.

Kerry-Edwards 2004, Policy Director for National Security, July–November 2004.

Senior advisor to Vice Presidential Candidate John Edwards on foreign policy and national security. Traveled full-time with Senator to 34 States, responsible for briefing on policy issues and prep for Vice Presidential debate.

U.S. Senator John Edwards (D–NC), Foreign Policy Advisor, August 2002–July 2004.

Senior advisor to Senator and 2004 Democratic Presidential Candidate on foreign policy and national security.

The American Academy in Berlin, Bosch Public Policy Fellow January–June 2002.

The George Washington University, Institute for European, Russian, and Eurasian Studies, Research Associate and Visiting Scholar, February 2001–2002.

The Honorable Strobe Talbott, Research Assistant, February 2001–2002.

Assisted with the writing of The Russia Hand (2002), a memoir of U.S.-Russian relations during the 1990s.

U.S. Mission to the United Nations and Office of the Deputy Secretary of State, Chief Speechwriter and Special Advisor, February 1999–2001.

Joint appointment on the staffs of U.N. Ambassador Richard Holbrooke (as Speechwriter) and Deputy Secretary of State Strobe Talbott (as Special Advisor). Awarded State Department's Meritorious Honor Award in January 2001.

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. State Department, Consultant to Bureau of Public Affairs, June 1996–February 1997.

Led effort to produce 360-page classified historical study of the Dayton Peace Accords (declassified in March 2003).

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.

Advisory Board Member, Woodrow Wilson House, Washington, DC (Nonprofit Presidential Museum).

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

Council on Foreign Relations.

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.

2009, Michael Signer for Virginia (Lt. Governor): $250.

2008, Obama for America: $1,000.

2006, Paul Aronsohn for Congress (NJ): $200.

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

Superior Honor Award, Department of State, November 2010.

Meritorious Honor Award, Department of State, January 2001.

Presidential Fellowship, Columbia University, 1995.

Frederick Marcham Fellowship, Cornell University, 1993.

John F. Kennedy Scholarship, Cornell University, 1993.

Harry S Truman Scholarship, 1992.

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

The nominee responded and the information is contained in the committee's executive files.

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. **Commitments regarding nomination, confirmation, and service:**

(a) Have you adhered to applicable laws and regulations governing conflicts of interest?

Yes.

(b) Have you assumed any duties or undertaken any actions which would appear to presume the outcome of the confirmation process?

No.

(c) If confirmed, will you ensure your staff complies with deadlines established for requested communications, including questions for the record in hearings?

Yes.

(d) Will you cooperate in providing witnesses and briefers in response to congressional requests?

Yes.

(e) Will those witnesses be protected from reprisal for their testimony or briefings?

Yes.

(f) Do you agree, if confirmed, to appear and testify upon request before this committee?

Yes.

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

Yes.

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[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.]

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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.

DEREK H. CHOLLET.

This 24th day of April, 2012.

[The nomination of Mr. Derek H. Chollet was reported to the Senate by Chairman Levin on May 15, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on May 24, 2012.]

# NOMINATIONS OF GEN. MARK A. WELSH III, USAF, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE CHIEF OF STAFF, U.S. AIR FORCE; LT.GEN. JOHN F. KELLY, USMC, TO BE GENERAL AND COMMANDER, U.S. SOUTHERN COMMAND; AND LTG FRANK J. GRASS, ARNG, TO BE GENERAL AND CHIEF, NATIONAL GUARD BUREAU

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**THURSDAY, JULY 19, 2012**

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

The committee met, pursuant to notice, at 9:34 a.m. in room SH–216, Hart Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Akaka, Nelson, Webb, Udall, Hagan, Begich, Shaheen, Blumenthal, McCain, Inhofe, Chambliss, Wicker, Brown, Portman, Ayotte, and Graham.

Committee staff members present: Richard D. DeBobes, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Jonathan D. Clark, counsel; Richard W. Fieldhouse, professional staff member; Creighton Greene, professional staff member; Jessica L. Kingston, research assistant; Michael J. Kuiken, professional staff member; Gerald J. Leeling, counsel; and Peter K. Levine, general counsel.

Minority staff members present: Adam J. Barker, professional staff member; Pablo E. Carrillo, minority general counsel; Daniel A. Lerner, professional staff member; Elizabeth C. Lopez, research assistant; Lucian L. Niemeyer, professional staff member; and Diana G. Tabler, professional staff member.

Staff assistants present: Jennifer R. Knowles and Mariah K. McNamara.

Committee members' assistants present: Brian Burton, assistant to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Ryan Ehly, assistant to Senator Nelson; David Bonine and Gordon Peterson, assistants to Senator Webb; Casey Howard, assistant to Senator Udall; Lindsay Kavanaugh, assistant to Senator Begich; Patrick Day and Chad Kreikemeier, assistants to Senator Shaheen; Kevin Fink and Kathryn Parker, assistants to Senator Gillibrand;

Anthony Lazarski, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Joseph Lai, assistant to Senator Wicker; Charles Prosch, assistant to Senator Brown; Brent Bombach, assistant to Senator Portman; Brad Bowman and Adam Hechavarria, assistants to Senator Ayotte; and Sergio Sarkanay, assistant to Senator Graham.

**OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good morning, everybody.

This morning the committee welcomes three distinguished military nominees: General Mark Welsh III, U.S. Air Force, who is nominated to be Chief of Staff of the Air Force; Lieutenant General John Kelly, U.S. Marine Corps, who is nominated to be the Commander, U.S. Southern Command (SOUTHCOM); and Lieutenant General Frank Grass, Army National Guard, who is nominated to be the Chief of the National Guard Bureau. We thank you all for your decades of service to our Nation and for your willingness to continue to serve in these positions of such great responsibility.

I would also like to welcome and to thank your family members, some of whom are here this morning. The long hours and the hard work that are put in by our senior military officers requires commitment and sacrifice not only from our nominees but also from their families. Our Nation is indebted not just to you for your service but to your families. In this regard, it is the tradition of this committee to invite each of you during your opening remarks to introduce the family members or others who are here with you this morning.

General Welsh, who is the prospective Chief of Staff of the Air Force, will face the difficult tasks of recruiting and retaining a quality force and maintaining current readiness to conduct the ongoing war on terrorism while at the same time transforming the Air Force's force structure to deal with the threats of the future in the face of difficult cost and scheduling problems with the Air Force's major acquisition programs.

Many of the ongoing challenges facing the Department of the Air Force have centered on acquisition programs, and as Chief of Staff, General Welsh, you will be leading the Air Force in defining requirements for the acquisition community to fill. Some programs have been proceeding reasonably well, such as the tanker replacement program, but too many acquisition programs are mired down in problems which, unless resolved, will make it difficult, if not impossible to afford the Air Force that we need.

Of perhaps greater concern is the fiscal year 2013 plan for realigning force structure for the Air Force where the cuts proposed fall disproportionately upon the Air National Guard. Historically the Air Force has been credited for having a very good relationship with its Reserve components, and that is essential because it relies more heavily on the Reserve Forces than the other Military Departments. With the presentation of the Air Force's fiscal year 2013 proposals for making force structure reductions, however, the Air Force appears to have decided against relying as much on the Air National Guard to provide tactical fighters and airlift capability, and the firestorm which erupted from that proposal resulted in Congress stepping in. This committee has proposed a creation of a

national commission on the structure of the Air Force to advise Congress on appropriate criteria that should be used for force structure when planning the Air Force of the future.

General Kelly, the SOUTHCOM area of responsibility (AOR) includes the Caribbean and Central and South America. The primary threat to the United States emanating from SOUTHCOM's AOR is the destabilizing impact of transnational organized crime. These violent criminal organizations are a real threat to national and international security and SOUTHCOM is the hub for the Department of Defense's (DOD) activities to counter this threat and a critical entity through which Federal law enforcement agencies are supported.

Last summer, the President released the national strategy to combat transnational organized crime. General Kelly, you will be one of the key implementers in DOD of the President's strategy, and the committee looks forward to hearing your views on this threat and SOUTHCOM's ongoing role in the implementation of this strategy.

Over the last 2 decades, SOUTHCOM's most significant operations have been supporting the Colombian Unified Campaign against the Revolutionary Armed Forces of Colombia (FARC), and other Colombian terrorist organizations and transnational criminal organizations. SOUTHCOM's train and equip activities in Colombia have seen success as the Colombian Government is back in control of the vast majority of its territory. General Kelly, you will be responsible for maintaining this important military-to-military relationship.

The success of SOUTHCOM's support operations in Colombia, however, has in part meant that illegal narcotics trafficking and the associated destabilizing impacts have shifted into Central America, and General Kelly, the support of SOUTHCOM to those nations in Central America, including Honduras, El Salvador, and Guatemala, will be a key focus of your tenure at SOUTHCOM.

SOUTHCOM will undoubtedly be called upon to assist nations in the AOR responding to natural disasters. None of us have forgotten the devastating impact of the earthquakes in Haiti and Chile or the hurricanes that have struck Central America. SOUTHCOM's ability to deploy naval and aviation assets to assist recovery in the immediate aftermath of these natural disasters is a critical capability, and this committee has strongly supported these efforts over the years and will continue to do so.

General Grass, this is the first time this committee has held a nomination hearing for the Chief of the National Guard Bureau. We are doing so now because of last year's legislation making the Chief of the National Guard Bureau a member of the Joint Chiefs of Staff with the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of Homeland defense and civil support missions. The Chief of the National Guard Bureau is also a principal advisor to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense and also is the principal advisor to the Secretary of the Army and Chief of Staff of the Army and to the Secretary of the Air Force and the Chief of Staff

of the Air Force on matters relating to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States.

General Grass is currently serving as the Deputy Commander of U.S. Northern Command, the combatant command responsible for Homeland defense and civil support missions to other Federal agencies and States in responding to natural or manmade disasters. In carrying out these missions, Northern Command relies on a well-coordinated and collaborative relationship with the National Guard Bureau and State National Guard forces. General Grass is also the Vice Commander of the United States element of the North American Aerospace Defense Command, our bi-national command with Canada to protect the air space and maritime approaches to North America. During your tenure at Northern Command, there have been notable improvements, General, in the authorities and the cooperation between DOD, the States, the National Guard Bureau, and the Reserves on those civil support missions, and as a result, our Nation is in a better position to respond to emergencies.

Again, we welcome you all. You are extremely well qualified for the positions that you have been nominated. Before turning to you for your opening statements, I will call on Senator McCain.

**STATEMENT OF SENATOR JOHN MCCAIN**

Senator MCCAIN. Thank you, Mr. Chairman, and I will join you in welcoming our nominees and showing appreciation to them for their years of service, as well as their family members who join them today.

If each of you is confirmed, the environment that you would face will be uncertain and potentially volatile. While we are winding down combat operations in Afghanistan, we are also facing the most insidious range of threats the country has seen in a long time. We are, however, also entering a period of declining defense budgets and lower mobilization levels for the foreseeable future. What this will mean for the Active and Reserve component mix, particularly within the Air Force, and how in this context the National Guard will maintain desired readiness are open questions. General Welsh and General Grass, your vision for the Air Force and the National Guard will be vital.

General Welsh, I also look forward to hearing how you plan to cultivate with the prevalence of what the Pentagon's acquisitions chief called "acquisition malpractice" and what the Deputy Secretary of Defense agreed before this committee was a culture of corruption, personal accountability in the acquisition process, starting with setting realistic and reliable requirements, and continually addressing affordability across system lifecycles.

General Grass, the Air Force's plan under its fiscal year 2013 budget request is to cut almost 10,000 personnel and retire or realign various flying units is being challenged by some in Congress, including on this committee. I believe that the Guard and Reserves must accept and manage some level of force reductions, as the Active Force is drawn down due to planned budget cuts, and deeper cuts that may occur as a result of sequestration. I look forward to

your contributions to decisions regarding the inevitable military force structure reductions.

General Kelly, the scourge of transnational criminal organizations continues to wreak havoc throughout the SOUTHCOM AOR. Despite billions of dollars in investment, we have yet to make any meaningful and sustainable impact on the flow of narcotics and other illicit materials throughout the region and ultimately into the United States. As you and I discussed yesterday, the best measure of how we are doing in restricting the flow of drugs into this country is the price of an ounce of cocaine on the street in any major city in America. That price has not gone up despite the billions of dollars of effort that we have devoted to it. In my view—and we will pursue this more in the questioning—we are going to have to have a national conversation about drugs and the demand for illegal drugs in this country. In the meantime, I think you have to start thinking outside the box as to how we can come up with innovative ways to restrict or at least dramatically reduce the flow of drugs across our southern border which is killing Americans—young and old.

To all our nominees, I would like your military opinions about the impact of sequestration: DOD has already been directed to cut budgets over 10 years by over $550 billion and subject to another $500 billion if Congress and the White House do not agree before January on a plan to avoid automatic budget cuts known as sequestration. Members of this committee, including myself, have been urging the Department to provide us with an assessment of how harmful these cuts could be to our military readiness, particularly if military personnel accounts are not exempted from sequestration, but the President has inexplicably maintained that he would veto any legislation that would repeal these cuts.

Just a few days ago, Air Force Chief of Staff General Norton Schwartz observed that impending defense cuts could invalidate contracts, push the cost of weapons systems higher, and if not handled wisely, could turn the military into a hollow force. Specifically he said, "if [these reductions are] not done the right way, that is a possibility, maybe even a probability."

General Welsh and General Grass, if you are confirmed as statutory members of the Joint Chiefs of Staff, I will expect you, one, to bring to bear on the Joint Chiefs' deliberations your best military judgment on whether and how the Air Force and the National Guard, respectively, must prepare today for the draconian cuts required under sequestration; and two, to provide this committee with the benefit of that judgment. If you disagree with my expectation, I would like to hear it at this hearing.

Negotiating the Department through this uncertain period will require sound and seasoned leadership. With this in mind, I look forward to your testimony today.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

I will now insert a statement by Senator McCaskill, supporting General Grass, into the record.

[The prepared statement of Senator McCaskill follows:]

PREPARED STATEMENT BY SENATOR CLAIRE MCCASKILL

Mr. Chairman, I want to take this opportunity to say how thrilled I am to have a Missourian nominated to be the next Chief of the National Guard Bureau. Lieutenant General Grass is taking the reins of an extraordinary organization. For more than 11 years, the men and women of the National Guard have been deploying to war and they have performed admirably. The Reserve component has transitioned from being a strategic reserve force to an operational reserve force, and it is not going back. This new reality is going to create a new set of challenges for members of the Guard, and it is going to take strong leadership to make this transition successful. I am confident Lieutenant General Grass has the right experience and background, including his time in the Missouri National Guard, to address these challenges head-on. And I will work with him to take the necessary steps to strengthen the Guard for the future.

Chairman LEVIN. Let me call first on General Welsh.

## STATEMENT OF GEN. MARK A. WELSH III, USAF, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE CHIEF OF STAFF, U.S. AIR FORCE

General WELSH. Thank you, Mr. Chairman.

Mr. Chairman, Ranking Member McCain, members of the committee, my wife Betty is with me this morning. She is sitting to my right in the blue suit in the front row. With her is her sister, Dr. Carol Horn; her friend, Mrs. Debbie Mueller, wife of Air Force Lieutenant General Steve Mueller; and then Mr. Steve Massey, another family friend who is a very proud Virginia native and a great patriot.

Betty and I have been married for 34 years, and I have always found our relationship fascinating because she needs me for absolutely nothing, and I need her for everything. She is the most beautiful, talented, intelligent woman I have ever known. She has raised our four great children, Mark, John, Matt, and Liz, while I wandered the world. She just rocks. If you were confirming her this morning, the hearing would likely take about 5 minutes, but I am confident you will be a little more deliberate with me. Mr. Chairman, thank you so much for allowing her to be here.

It is a tremendous honor and a very humbling experience to be nominated by our Commander in Chief to serve as the Chief of Staff of the U.S. Air Force, and I would like to thank the President and to thank Secretary Panetta and Secretary Donley for their trust and confidence.

I would also like to thank General Norty Schwartz for his dedicated leadership of our Air Force for the past 4 years.

I believe that history shows us that times are always challenging government, and these times are certainly no different. But everyone who congratulates me on this nomination immediately mentions the significant challenges we face, and despite the difficult fiscal environment, I am very excited about the opportunity to work with you to find ways to reduce our deficit and to keep our Air Force trained, equipped, and ready to defend our Nation, its citizens, and its interests.

I will admit I am even more excited about the opportunity to lead the men and women who serve in the world's finest air force and to marvel at how they will overcome these challenges. Today and every day those airmen move people and cargo to every corner of the world. They conduct intelligence, surveillance, and reconnaissance (ISR) operations for every combatant commander. They con-

duct lifesaving aeromedical evacuations for our wounded warriors and they bring our fallen comrades home to the Nation and the families who love them. They clear improvised explosive devices. They provide critical re-supply with tactical air drops and armed ground convoys. They deliver space-based communication, navigation, and missile defense warning. They fight shoulder to shoulder with Army, Navy, and Marine Corps comrades on the battlefield, and they patrol the skies above them, ready to respond when lives are on the line.

If confirmed, I fully accept the responsibility to stand beside Secretary Donley and lead all of those airmen, 690,000 strong, Active, Guard, Reserve, and civilian airmen who selflessly serve our Nation as part of an unbeatable joint team. Two very special leaders of that joint team are sitting next to me today. National Guard soldiers and airmen alike are cheering the nomination of General Frank Grass, and General John Kelly is simply a great officer and leader who has sacrificed more for this Nation than most of us can even comprehend. It is truly an honor to be here with them.

Mr. Chairman, if you will allow a brief personal reflection as I close. I was born into a military family. I was blessed with the example of two grandfathers who served in the U.S. Army in World War I. My father was an Army Air Corps and then U.S. Air Force officer for 34 years. He served in three wars. He was the greatest patriot and the best Air Force officer I have ever known. If he were alive, Mr. Chairman, you would have received a letter from him as both a proud father and a proud American thanking you for allowing his son the privilege of attending this hearing because this is a privilege.

Thank you, Mr. Chairman and members of the committee. I look forward to your questions.

Chairman LEVIN. Thank you so much, General. It was a very moving statement.

General Kelly, you are next.

**STATEMENT OF LT. GEN. JOHN F. KELLY, USMC, TO BE GENERAL AND COMMANDER, U.S. SOUTHERN COMMAND**

General KELLY. Chairman Levin, Senator McCain, distinguished members of the committee, I am honored to appear before you today as the President's nominee to command U.S. Southern Command. It is a privilege to join the other two fine officers on this panel, General Mark Welsh and Lieutenant General Frank Grass, both of whom I respect immensely and have had the pleasure of working with in the past.

I am joined this morning by my wife Karen who for 35 years has been my partner in everything I have done in service to this Nation. I certainly would not be here today without her. She has done so much and given so much over the years not just to the Kellys but to every military family she could touch. I am truly honored to introduce her to you today, and with all due respect to the other ladies, she is the best looking woman in the front row. [Laughter.]

I also want to mention briefly a few other of my family members who could not be here today: my precious daughter Kathleen, who spends her every waking hour caring for wounded warriors and their families at Walter Reed Army Medical Center; my two daugh-

ters-in-law, Heather and Andrea, both crazy enough to marry marines in a time of war, both women of amazing substance and fortitude; and finally, our two sons, John and Robert, both marines, both combat veterans with multiple combat tours in the fight, both men of amazing character and bravery. I wish the five of them could be with us here today.

I would like to thank Secretary Panetta and President Obama for the honor of being nominated. I have been honored to work alongside Secretary Panetta for the past year and I sincerely appreciate the trust and confidence he and the President have shown in considering me for this command.

I would also like to thank this committee for the support it has provided our soldiers, sailors, airmen, marines, and their families who serve our Nation every day here at home and overseas. I have personally seen the difference your support makes day-in and day-out for these heroes.

Mr. Chairman, for the past 3 years, General Doug Frasier has led SOUTHCOM with great distinction. His leadership and vision will leave a tremendous legacy which, if confirmed, I hope to build upon.

As you pointed out, Latin America and the Caribbean is a region characterized by an array of both nontraditional security challenges and merging opportunities. No doubt there are any number of threats to our security, not the least of which are illicit trafficking particularly in drugs and their precursors and the spread and growing sophistication of transnational organized crime syndicates. Additionally, cyber and energy security, natural disasters, humanitarian crises, and malign influences from both inside and outside the region are challenges. Each of these, however, also presents an opportunity, allowing us to engage, to cooperate, and to partner with countries in the region.

If confirmed, I look forward to working with the men and women of SOUTHCOM, as well as the dozens of civilian interagency partners, to continue the important mission of ensuring the forward defense of the United States by building strong, capable partners who share in the cost and the responsibility of safeguarding the hemisphere.

Once again, I am honored, humbled to have been nominated for this position and am grateful for the opportunity to appear before you today.

Chairman LEVIN. Thank you so much, General Kelly, for your statement.

General Grass.

## STATEMENT OF LTG FRANK J. GRASS, ARNG, TO BE GENERAL AND CHIEF, NATIONAL GUARD BUREAU

General GRASS. Chairman Levin, Ranking Member McCain, distinguished members of the committee, it is an honor and privilege to be here today. I am honored that President Obama and Secretary Panetta nominated me to be the 27th Chief of the National Guard Bureau.

I am also honored to testify with General Welsh and General Kelly, two great Americans whose combined sacrifice and service spans nearly 8 decades.

I would like to take this opportunity to introduce my wife Patricia who has stood by my side throughout my career. My service in the National Guard would not have been possible without her tremendous family support as she raised our five children, Amanda, Joe, Laura, Patrick, and Mark. Over the past 12 years, our family has grown. We have the addition of a wonderful daughter-in-law, two wonderful sons-in-law, and eight beautiful grandchildren.

Mr. Chairman, over the past 4 years, General Craig McKinley has led the National Guard Bureau through a historic transformation. The National Guard's achievements could not have occurred without the tremendous leadership of previous Chiefs of the National Guard, Directors of the Army and Air National Guard, The Adjutants General (TAG), the senior enlisted, and most importantly, the sacrifice and commitment of the citizen soldiers, airmen, and their families.

Today I sit before you with full confidence that your National Guard is more ready, more capable, and rapidly deployable than ever before in our Nation's history and also ready to respond to disasters in our States, territories, and the District of Columbia. The past decade has also demonstrated that the National Guard is an operational force and a critical partner with the Army and the Air Force in all missions, all contingencies, and on the North American continent.

Today our Nation faces a challenging threat environment, one that is asymmetric and more dangerous than any other in history. These threats come in many forms. The citizen soldiers and airmen of the National Guard are skilled combat veterans and they will continue to provide value-added solutions to our national security.

If confirmed, I will work to ensure the capabilities gained since September 11 are not lost and the investment not squandered. I will partner with Congress, with the Army, and the Air Force and seek counsel from our adjutants general so that the National Guard is always ready and always there.

To the men and women and families of the Army and the Air National Guard, I am humbled to be nominated as your Chief. If confirmed, you can know that I will be your strongest advocate.

I want to thank this committee for your support of the National Guard's most valuable assets, our soldiers, airmen, and their families.

Chairman Levin, Ranking Member McCain, and members of the Senate Armed Services Committee, I thank each of you for the opportunity to appear before you today. If confirmed, I am committed to working with this committee to ensure the National Guard forces remain a vital part of the best military in the world. I look forward to your questions.

Chairman LEVIN. Thank you all. I only wish every American could have heard your opening statements here today. They are extremely powerful, moving statements.

We have some standard questions that we ask our nominees, and I would ask you each to respond—in order to exercise our responsibilities—to each of the questions that we ask. Have you adhered to applicable laws and regulations governing conflicts of interest?

General WELSH. I have.

General KELLY. I have.

General GRASS. I have.

Chairman LEVIN. Do you agree, when asked, to give your personal views even if those views differ from the administration in power?

General WELSH. I do.

General KELLY. I do.

General GRASS. I do.

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

General WELSH. I have not.

General KELLY. No, sir.

General GRASS. No.

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

General WELSH. I will.

General KELLY. I will.

General GRASS. I will.

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

General WELSH. I will.

General KELLY. I will.

General GRASS. I will.

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

General WELSH. They will.

General KELLY. They will.

General GRASS. They will.

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

General WELSH. I do.

General KELLY. I do.

General GRASS. I do.

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

General WELSH. I do.

General KELLY. I do.

General GRASS. I do.

Chairman LEVIN. Thank you.

Let us try 7 minutes for our first round today.

General Welsh, we have talked in my office about the budget of the Air Force for fiscal year 2013, and that budget cuts are proportionately deeper in the Air National Guard as compared to personnel reductions proposed for the Active Air Force or the Air Force Reserve. Can you give us your view of that budget request?

General WELSH. Yes, Mr. Chairman. Thank you.

I think where we stand with the fiscal year 2013 budget request is that clearly when that budget was presented to the Hill, it became obvious that we have gotten into a position where we have a proposal that is simply not executable. Now, I was not part of the

discussions and the coordination that led to that. I did hear the Air Force briefing to our senior leadership about where there was a decision made on the actual ratios of force structure to be included, but I have no idea of the process to turn that into individual organizations' units and equipment.

Having said that, I think what matters the most today is how we move forward from here because we are in a place we cannot stay. However we move forward, it has to be together.

Now, I believe that there needs to be a more inclusive coordination process on the budget. Clearly we learned that this year. It has to include things like title 32 requirements at the front end of the discussion. It has to include better coordination and information sharing not just with the Air National Guard and the Air Force Reserve but with the National Guard Bureau and clearly the link between the National Guard Bureau, the Council of Governors, and the TAGs has to be energized in a more meaningful and productive way.

Mr. Chairman, I would offer that, if confirmed, I will work very closely with General Grass and with our great Air National Guard Commander and our Reserve Director to help adjust this process so that we never end up here again.

Chairman LEVIN. Okay. Thank you for that.

General Welsh, let me ask you about a policy question which we asked in our prehearing questions, and it relates to European bases. You indicated in your answer that we should consider reductions and consolidation opportunities in Europe and that planning must begin with a careful assessment of the enduring missions in Europe, but that you were willing to take a look at possible reductions and consolidations. I just wonder if you know going in of any possibilities, or you just want to go in there with an open mind?

General WELSH. No, Mr. Chairman. We have been looking at this for about a year. We have been discussing with the air staff the options that might be available. Some members of DOD have visited. We discussed options with them as well.

I think the most important place that I believe we came to at least an initial agreement on is the idea that there are some enduring missions that the United States needs to have the U.S. air forces accomplish in the European or African continents. I think that enduring mission set is fairly easy to identify and I included that in my answers to the questions.

If we can agree on that enduring mission set, the debate can then center on the other requirements that the Nation may or may not have in Europe in the future. I think that is a policy question. I think it involves both the executive and the legislative branches of Government. Our part actually is fairly simple once those questions are answered. It is to tell you exactly what is required and where it would be best situated to base the forces to do those types of things that America needs options to accomplish.

Chairman LEVIN. We are very much interested in the enduring missions, of course, and we also very much interested in the possibility of consolidations and reductions. We have to make some savings and that has to continue to be one possible location. So keep us informed on that, if you would.

General WELSH. I will be happy to, Mr. Chairman, if confirmed.

Chairman LEVIN. General Welsh, we had a number of sexual assaults in the Air Force in 2003. All of the Services and DOD, at that time, beefed up their sexual assault prevention and response programs. Apparently, though, they have not had yet the desired effect because 12 military training instructors, for example, at the Air Force basic military training and Joint Base San Antonio, Lackland, TX, have been accused now of sexual misconduct ranging from unprofessional relationships to rape with more than 30 female recruit victims. There are several pending courts martial which obviously we would not ask you to comment on specifically. A lieutenant colonel squadron commander has been relieved.

But can you give us your assessment of the Air Force's sexual assault prevention and response program at this time?

General WELSH. Yes, Mr. Chairman, I can.

I think you put your finger on it with your statement that what we have been doing is not working. It is not for lack of effort. In DOD, the Secretary, the Chairman, our Secretary and Service Chief in the Air Force, and the other Service Chiefs have been very vocal about this terrible crime, about ways to approach preventing it, about care for victims, et cetera.

We have done a lot of things to try and help over the last 10 years or so. We have institutionalized training at every level from accession training for officer enlisted to commander training at the wing commander level in the Air Force. We do annual refresher training. We completed bystander intervention training for the entire uniformed Air Force over the last 6 months or so. We have new special prosecutors. We have additional Office of Special Investigations investigators who specialize in investigating these cases. We have talked about it. We have had days in every unit in the Air Force to sit down and discuss it. Everyone is trying to do the right thing and figure out some way of stopping this, but the fact is we have not. In fact, we have not even reversed the trend.

Now, all those things are good things to do, but it is not enough. We have worked on victim care. We have worked on reporting. The one thing none of us have figured out how to do is stop the perpetrator before the crime.

Mr. Chairman, I think there is a lot more work to be done here. The simple fact is the goal for sexual assault in the U.S. Air Force—and I am sure my comrades here would agree with me and all our Services—is not a declining trend. It is zero. We do not accept that there can be more than zero aircraft accidents in a year or zero suicides in a year. In this crime, the goal is zero. If you are a commander, if you are not a supervisor—or if you are a commander or a supervisor and you are not directly and aggressively involved in speaking up about this issue in your unit, then you are not part of the solution. You are part of the problem. We have to get that institutionalized in our Air Force.

The other thing we need to do, Mr. Chairman, I believe is look at a series of things to attack that perpetrator side of the equation. Maybe it is better screening on entry into the Service. I do not know if there is a tool that will allow us to help in that regard to at least identify the predators, but we should be looking for them.

We need to do better small group work, I believe, in our U.S. Air Force to better know the people we work closely with, nearby. In

U.S. Air Forces Europe, we have instituted a program to do that over the last several months. I do not know what the return on that investment is going to be, but the investment is very small. It is about an hour a month to just sit and get to know and care more about the people you work with day-to-day because I believe that the better you know the airmen around you, the better you will take care of them.

I think there are a series of things we need to do, Mr. Chairman, to address this problem. What I know is that we cannot rest on our laurels. We have done a lot of work and we have made no difference.

Chairman LEVIN. We thank you for that. It is a very thoughtful answer to an extremely important question.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

General Welsh and General Grass, the Secretary of Defense has made it very clear that the effects of sequestration in his words would be catastrophic and damaging to our national security. A few days ago, General Schwartz observed that the sequestration could invalidate contracts, push the cost of weapons systems higher, and if not handled wisely, could turn the military into a hollow force.

Do you agree, General Welsh, General Grass, with those assessments of the impact of sequestration?

General WELSH. Senator McCain, I agree that the effects would be catastrophic. As an operational commander sitting in my current job, of course, I think just doing due diligence of operational activity in the field, that would be affected instantly by sequestration cuts. We have tried to look at what would be the impact, and even at the operational level, the impact is almost immediate just from the perspective training and readiness. If you assume a 14 percent budget cut across the board, which is what I am assuming as I look down the road, everything is affected. Our ability to provide ready, deployable units is affected. Our ability to keep airplanes flying and training specific munitions to support counterterrorism activity in either U.S. Central Command's (CENTCOM) or U.S. Africa Command's (AFRICOM) AOR is affected. Our ability to train new air crews and remotely piloted aircraft pilots is affected. Eventually, of course, every modernization program is affected in a major way, especially some of the key ones that we are going to rely so much on here over the next 10 to 20 years as we try and populate the force with new capability we need. I think the trade space will become readiness and modernization. That is horrible trade space to be operating in.

Senator MCCAIN. General Grass?

General GRASS. Senator McCain, I agree with Secretary Panetta, as well as Chairman Dempsey, that sequestration would be devastating to DOD.

Senator MCCAIN. General Kelly, as we have discussed previously, one of the major domestic challenges we face is the flow of illegal drugs into this country, the majority of which comes from south of our border. We know that it has resulted in 50,000 Mexican citizens being killed in the past few years, the breakdown in law and order, the corruption, and that has extended throughout our hemisphere. It has destabilized some of the smaller countries in Central

America. One of the cities, I believe in Honduras, is now the murder capital of the world. Is that correct, General?

General KELLY. It is correct, yes, Senator.

Senator MCCAIN. All of this can be traced to the flow of illegal drugs into our country.

My first question is, do you think that the fact that given the cost of an ounce of cocaine in every major city in America is not any higher than it was 5 years ago is an indication that we are not succeeding in restricting or reducing the flow of drugs into this country?

General KELLY. I agree with that, Senator. It might be the best indicator.

Senator MCCAIN. We know that in Colombia, Plan Colombia was a success, but overall it has not impacted the use of drugs in this country, and it is probably out of your and my AOR. But does this not have a lot to do with the glamorization of the use of drugs, the acceptance in certain levels of our society that it is kind of the in thing to do? We see that in our media quite often in movies and television. Do you have an idea as to what we need to do to try to prevent this?

By the way, before you mention that, would you not agree that the majority of the drugs still flow across the Arizona-Mexico border?

General KELLY. Senator, to your second point, absolutely. Most of the drugs that come into America from the south come out of the production fields mostly in Colombia, more so today or increasingly out of places like Bolivia, Peru as well. In fact, Peru has just overtaken Colombia as the number one source of production of cocaine. The cocaine—about 1,000 metric tons of it a year starts its journey north to the United States mostly out of Venezuela by various means, fast boats, submersibles, and aviation. Most of that makes it way——

Senator MCCAIN. You might relate the anecdote about the submarine that you told me yesterday, the cost of a submarine being $2 million and——

General KELLY. Sir, they build these submarines up in the smaller rivers in Venezuela primarily, some in Colombia. It costs about $2 million. All of it is off-the-shelf technology. It takes about a year to build. It takes about $2 million to build it, and when it gets to Honduras and offloads to smaller vessels, which is the normal way through, they make about a $250 million profit. They just turn around and do it again and again and again. The profits are just astronomical.

But to complete the comment, most of it now makes its way to Guatemala and Honduras. It is then transshipped up through Mexico and across the Texas-Arizona border, particularly I think the Arizona border because of the nature of the terrain.

As far as the glamorization, where the real problem in my estimation is—and if you ask anyone in South America, Central America, they will tell you the same thing. The real problem is in the United States. It is the demand problem. It is huge. It is astronomical. I think this country, if my numbers are correct—it costs America almost $200 billion a year, the drug scourge. That is primarily in lost productivity but obviously law enforcement, rehab programs,

and what not. $200 billion. I think we put something in the neighborhood of about $26 billion in terms of domestic and international law enforcement to try to keep it from coming here.

There are huge amounts. Huge amounts. There are 1,000 tons or so that start its journey up here every year. Only—only—500 or 600 tons gets through, but that 500 or 600 tons is spread across America to every community, every city, and it costs us dearly. The human capital alone is outrageous. I think the demand is where the problem starts and frankly I think that is where the solution is.

Senator MCCAIN. There is a very serious problem with corruption particularly in these small Central American countries.

General KELLY. Absolutely. As has been pointed out to me many times, Honduras, Guatemala, Belize, El Salvador—they have had to start to transition to using their military, which no one likes and certainly they do not want to, but to transition their military which are less corrupt and more effective in order to deal with the drug scourge because of the amount of corruption in their police departments, and frankly in their State houses and capitals.

Senator MCCAIN. My time has expired. Mr. Chairman, this is an issue that really is of some great importance from a national security standpoint, and I hope in the future we will be able to pursue this issue. The numbers that General Kelly just pointed out not only of drugs but the cost to the American people and taxpayers is really beyond calculation.

We look forward to working with you, General Kelly.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain. Actually coincidentally the Permanent Subcommittee on Investigations, which I chair, had a hearing a couple of days ago looking at the money laundering that goes on between Mexico and the United States, how that money gets laundered after the dirty money is put in play here in the United States, smuggled to Mexico, gets into a bank in Mexico which is an affiliate of HSBC and comes right back to the United States through correspondent accounts with those affiliates of HSBC, a global bank. I will not take more time to do it other than to recommend to folks like Senator McCain who have fought so hard in this area to try to stop this scourge to take a look at the way billions of dollars in cash are laundered each year.

Senator Lieberman.

Senator LIEBERMAN. Thanks, Mr. Chairman.

Thanks to the three of you for your service, for your opening statements which I agree with the chairman were very compelling. Frankly, your service and your opening statements and your testimony remind us—or me—why the U.S. military remains perhaps the only great institution in our society that continues to enjoy the respect, the almost total respect, of the American people and deserve it. I thank you for that.

General Welsh, in your answers to the committee's advance policy questions, when you were asked about your priorities, I was quite impressed and interested that your first priority was "continuing to strengthen the nuclear enterprise". I wanted to ask you first a few questions about that.

I assume from that you believe that the continued strength of America's nuclear weapons capability is a central part of fulfilling our responsibility to protect our national security.

General WELSH. Senator, I personally do believe that. More importantly from my perspective, it has clearly been the policy decision of the Nation that we want to maintain this capability, and the U.S. Air Force has been tasked with maintaining two-thirds of that capability from a triad perspective. There has been a lot of work done in our Air Force over the last 4 years, as everyone on this committee well knows, to try and reverse a trend of seeming inattention and actual inattention in some cases to that mission area.

Senator LIEBERMAN. Right.

General WELSH. Many people, starting with our Secretary and our Chief, have had this as a clear priority and have stressed it repeatedly, and our Air Force has listened. We have made a lot of progress, but we cannot relax and pat ourselves on the back and think we are there because we are not. This is an everyday focus area for us and has to be.

Senator LIEBERMAN. Give us a little more detail on what some of the areas of seeming inattention have been or some people worried they have been.

General WELSH. Senator, let me start with the practical perspective because that is where I am sitting now. In Europe, we have a tactical mission and we have a security problem that we deal with. We found, even though there were not major problems in the past in Europe with that particular mission set, there were a number of things that had just over time become less than ideal, if I could say it that way. Equipment that had gotten old and there was no clear replacement plan, mission discussions that had gotten routine, focus on the particular mission set which was not what we were doing day-to-day with our operational crews that had become secondary to the warfight that was going on in the Middle East, understandable from a human perspective, unacceptable from an institutional perspective.

I think the actions that our Chief and Secretary have taken to refocus on this problem, to reorganize internally, to stand up Air Force Global Strike Command and organizations like the Nuclear Warfare Center that focus on the details required to keep discipline in all parts of this enterprise have been very helpful for us.

Senator LIEBERMAN. Some groups of citizens, respected citizens, including some retired military, have called in recent times to set the goal of the elimination of nuclear weapons and as part of that have suggested that the United States unilaterally could and should reduce the number of nuclear warheads that we have. I wanted to ask you to, if you would, give your response to those ideas.

General WELSH. Senator, my personal opinion is that the concept of reciprocity is very important in the deterrence business. I do not think we should unilaterally lower the numbers that have been recommended by groups recently.

Senator LIEBERMAN. Thank you.

One other question, General Welsh, about the F–35A Joint Strike Fighter (JSF). You have identified it as your top modernization pri-

ority. However, as we talk about the devastating impact of sequestration, I think we also have to acknowledge that the Budget Control Act has already put, if not devastating, very damaging, in my opinion, restraints on our military spending. The fiscal year 2013 budget proposal cuts almost 200 more F–35s from the 5-year defense plan.

I wanted to ask you, are you satisfied with the progress made by the F–35 program over the past year, and do you support the current program of record for 1,700 F–35As over the long-term?

General WELSH. Senator, I will admit freely up front I have not been involved day-to-day over the last year with the progress of the program. I will tell you what I believe based on my assessment of the program as it stands today.

I am excited about the F–35 program because I believe the Nation needs it. As an operational commander, I know the threat is there that this will help us deal with. Just looking at a potential scenario in Syria, you can see the application of this weapons system very clearly as part of a joint team, not just as an Air Force effort, and it can enable other joint activities on the battlefield.

Our international partners—six of the seven principal partners are in Europe, and they are very excited about this capability and are relying on us to deliver, as is our Air Force. We are committed to this.

I am concerned about the program not just because of the Budget Control Act but because of the problems we have had in the program development to this date.

Senator LIEBERMAN. I agree.

General WELSH. Our manufacturing process, our assembly line is not up to speed and running to the level we had hoped it would be at this point in time, which means that we have not been able to build and deliver jets on schedule or on an accurately predicted cost. I think that cost is a major concern. If we cannot clearly identify how much this airplane will cost to buy and to fly after we acquire it, then we really have no idea how many airplanes we can afford or how many we should expect to receive in a realistic look to the future.

I think pressure on the company, on the acquisition process internal to the Department is mandatory. We have to stay focused every day, and if confirmed, that would be a daily event for me.

I will tell you, sir, that I also believe that there are some good things happening. The aircraft that have been delivered that we have flown almost 1,900 hours on the Air Force variant of the JSF are performing very well in the test programs. The pilots are making comments like "dependable, a great performance", so there are some good trends occurring. We have just started local area activity and local area operations to fly in the Eglin area to prepare for our upcoming training program, which we hope to start by the end of the year.

I would just go back to the idea that if we continue this progress that we seem to be moving down toward, the production schedules are starting to meet the expected windows now. We have to continue this because I am excited about the airplane, sir.

Senator LIEBERMAN. Thank you very much. I am afraid my time is up. Thank you very much. Good luck.

Chairman LEVIN. Thank you, Senator Lieberman.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

Let me repeat what has already been said. We appreciate so much the service of all three of you and look forward to serving with you.

General Welsh, if I do not run out of time, I do want to talk about the aging fleet.

Let me tell you how much I appreciate all three of you spending time personally with me in my office. I think that is more productive than these hearings. But I may want you to answer that question for the record.

On the C–130 Avionics Modernization Program (AMP), it has been very popular by all segments right now. We have had three of the four defense committees supporting this in their early markups. General Schwartz had said the Air Force C–130 AMP provides military capability equal to or greater than the alternative programs and at less cost than those programs.

Now, I know that in the President's budget that they have terminated this program or not necessarily terminated it but they talk about the C–130 AMP light. It is my understanding—and I have gone into this and looked at it—that there are a lot of considerations that were not made in that evaluation. For example, the light program does require to have a navigator on board. If we were to find that the C–130 AMP can actually be acquired cheaper than the C–130 light program, would you support that?

General WELSH. Thank you, Senator. I will tell you that I was not involved in the discussions related to the AMP or the adjustments to it, so I cannot speak for the Secretary or the Chief on the decisions they made.

My general understanding of it is it was part of meeting the Budget Control Act discussions where they made some very tough choices of what could go versus higher priority things——

Senator INHOFE. Okay, yes. What I was getting at, though, is in the event that it turns out that the program is less expensive than the light program. You can do that for the record, if you want to, just let me know what your feelings are.

[The information referred to follows:]

Yes, the Air Force would support the C–130 Avionics Modernization Program (AMP) if it were cheaper than the C–130 AMP Light Program. The Air Force is committed to and supports fielding a low-cost solution that provides the necessary capabilities that ensure the C–130 legacy fleet meets mandated communication, navigation, surveillance/air traffic management requirements for global operations beyond 2020, until the legacy fleet can be recapitalized.

Senator INHOFE. Also for the record, because there would not be time to get to it, would be the Joint Surveillance and Target Attack Radar System (JSTARS) program. Again, quoting General Schwartz, he says notwithstanding the analysis of alternatives (AOA), we will continue with the combination of the JSTARS capability on the Block 4 Global Hawk. I would like to have you for the record give us your opinion and evaluation of that program, if you would do that.

General WELSH. Yes, sir, I will. Thank you.

[The information referred to follows:]

The Air Force's plan is to continue to provide joint and coalition forces with a combination of capabilities like Joint Surveillance and Target Attack Radar System (JSTARS) and Global Hawk Block 40 that combine ground moving target indicator, extended range, endurance, stand-off wide-area sensors, and all weather capabilities. The JSTARS has repeatedly demonstrated its role as a key battle management, command and control, and surveillance platform and will remain an important capability supporting those requirements. Our Global Hawk Block 40s are being fielded ahead of schedule as an early operational capability and developmental testing is encouraging.

Senator INHOFE. The chairman in his opening remarks, General Kelly, talked about the train and equip program, and I would add to that what I would call the Commander's Emergency Response Program. I think they have renamed that the Combatant Commander's Initiative Fund program, the 1206 train and equip International Military Education and Training (IMET) program. That is a big thing in the area where you are going. As a matter of fact, I think in Costa Rica, the defense minister is a product of our IMET program and he has been talking about this.

At the same time, I am happy to say that we have taken a different look at this than we used to. We used to consider we are doing a favor to these countries when in fact they are doing a favor to us. We know that China is involved in the area where you will be going in, so is Iran.

I would like to have you give your opinion of that program, what your plans are for the IMET program in the areas where you are going. Train and equip, yes.

General KELLY. Yes, sir. I think any program of that nature that broadens and deepens the relationships with partner nations' military-to-military contacts in that part of the world or in any part of the world—you get a lot of bang for the buck out of that. To the degree that I understand the issues, certainly to expand those programs throughout the region——

Senator INHOFE. Yes, okay. I agree wholeheartedly with that. Once these relations are developed, they do not end and they are always there.

Now, you are going to have Guantanamo Bay, Cuba, in your area. Have you had a chance to spend some time and look and evaluate the opportunity we have with that resource, which I might say is the best bargain that we have? We pay $4,000 a year and half the time they do not even collect it.

General KELLY. I have certainly not traveled there recently, not being confirmed. Obviously, Senator, one of the first things I will get intimately involved in, if confirmed——

Senator INHOFE. Okay, that is good.

General Grass, we talked in my office about the State Partnership Programs, and we know there has been a Government Accountability Office (GAO) problem with that. In fact, I have read that and I agree that changes need to be made. Have you thought through, first of all, your evaluation of that program and how you are going to overcome some of the problems that are there that were called to our attention by the GAO?

General GRASS. Senator, while I served in U.S. European Command (EUCOM), I worked the program very closely with EUCOM, both with U.S. Air Forces Europe and U.S. Army Europe, and found tremendous value from that program. I think as we talked,

one of the things that have come out of that is additional forces from the North Atlantic Treaty Organization (NATO) countries, and where we have partnered National Guardsmen, Army and Air, to fill out shortfalls in other countries, especially in the Balkans and some of those countries that wanted to deploy. By providing that additional skill set, we have partnered and provided additional forces to EUCOM. For a very small amount of money, it has been a tremendous program around the map, 64 countries today.

We have one partnership in Northern Command that I work with and that is with Rhode Island and the Bahamas. The enduring partnerships and relationships we build—and many of our captains, majors will grow up to be colonels and generals in the National Guard. Their partners in partner nations will do the same. So that relationship—we have celebrated the 20th anniversary—will endure. It is definitely money well spent.

Senator, one thing I think that we have to look at very closely and, if confirmed, I will do is to take a look at how that money is being spent and make sure that every penny that we put into that of taxpayers' dollars is spent toward a result.

Senator INHOFE. My time has expired, but for the record, I would like to have each one of you write and give an evaluation or answer the question because I have been deeply disturbed, as have other members of this committee, on the use of the military for other agendas such as the green agenda. We have our jolly green fleet on its way out there now. But do you think that spending $424 a gallon, as the Navy did, for 20,000 gallons is in the best interest of our Nation's defense and in the Air Force, $59 a gallon for 11,000 gallons? All of this could have been done for $3 a gallon I might add—and also the $27 a gallon for 450,000 gallons. Is this something that should be done in the military or perhaps would it be better done in the Department of Energy? As I understand, that is what they are supposed to be doing.

[The information referred to follows:]

General WALSH. It is critical for the Air Force to continue to evaluate energy technologies. Energy is a necessity for all Air Force missions and operations, and the Air Force recognizes energy as an integral part of its systems and not simply as a commodity. Every action taken by the Air Force to improve its energy security and efficiency is executed in support of the Air Force mission. Given that the Air Force spends over $9 billion a year on energy, the Air Force must consider energy initiatives with applicability to the Air Force mission.

General KELLY. I agree that the Department of Defense can and should improve efficiencies in energy use and expand in the use of alternative energy sources, but it should not necessarily come at the cost of manning, training, or equipping the force.

General GRASS. The Department of Defense should improve efficiencies in energy use and expand the use of alternative energy sources. These efforts require a whole-of-government approach.

Senator INHOFE. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Inhofe.

Senator Reed.

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

I want to thank and commend all you gentlemen for your extraordinary service to the Nation and the service of your families because, as you recognized, you could not have done it without their unflinching day-in and day-out support.

I want to particularly recognize General Kelly. I have had the privilege of knowing this great officer for many years. No marine, no family has made a greater contribution to the defense of this country than the Kelly family. I recall when you were shepherding folks around here on the Hill and then being with you when you commanded forces in Anbar Province, then your role recently as an assistant to the Secretary of Defense has been absolutely vital. I know Secretary Panetta deeply appreciates your contribution.

So, General, good luck. I think you are going to do a great job. The only thing I anticipate is that your mastery of Spanish will always have a slight Boston accent. [Laughter.]

But that is okay.

General Welsh, again thank you for your service.

I want to mention a program that is emerging and get your viewpoints. That is the association program between regular Air Force units and Air National Guard units. I think this has great potential in terms of the force structure issues you are going to face. We have in Rhode Island the 143rd, which I believe is the best C–130J squadron in the U.S. Air Force, regular or National Guard, and they are scheduled to be part of this. But it might be appropriate, particularly in the context of budget pressures, to begin thinking even moving forward with this association. It seems to be cost-effective, and also it will pool the talents of the Air Force in a way that might be unique to the Air Force because someone with 5,000 hours in the Air National Guard and 5,000 hours in the regular Air Force flying C–130Js is not much of a difference.

Can you comment on your views on this association project going forward?

General WELSH. Senator, I agree with you and I think the Air Force as an institution agrees with you. I have been in numerous discussions over the past year to year and a half in my current job during visits to the Pentagon where either the Secretary or the Chief of Staff of the Air Force has made the same comment. We have to look at associations as a solution to a number of things moving forward. It is not just cost. It is also developing young aviators in the different weapons systems at a more rapid pace than we can always do in an Active Duty squadron. It is a way of augmenting capability for forward deployments. There are a lot of pluses to this, Senator, and I think every time we have either a unit stand up, a unit restructuring, a force structure change, that part of the consideration ought to be the association.

Senator REED. Let me open up a broader topic and that is you have a situation down at Lackland Air Force Base now which has revealed a disappointing situation—and that is being very mild. I know you are troubled by it, very much so. We would like to think this is an aberration, but are you looking closely at the culture of the Air Force—because of all the Services, it seems to be the one that is much more specialized early on where young enlisted personnel, young officers go into very sophisticated specialties, meteorology, flying jet aircraft, et cetera, and the organizational supports for the basic command issues and troop leading issues sometimes are not there because if you are going to be a meteorologist, you are really not going to command as a young lieutenant 30 or 40

people. You are going to be working with other experts usually senior noncommissioned officers.

Do you think about that in a systematic way about whether there are some issues that you have to address that are fundamental?

General WELSH. Senator, I believe we have tried to. As I said before, however, our projection just for this year is roughly 600 reported sexual assaults. What we have been doing is not working. We have to look differently at the problem in my view. This certainly is not a matter of everyone not trying hard.

Senator REED. Yes, I know.

General WELSH. The incident at Lackland clearly from just the little I understand, which is what everyone else has read in the newspaper, is horrible. It is completely unacceptable for any institution, not just for the U.S. Air Force.

I do not believe the Air Force has a unique problem with this crime, but we do have a different environment than the other Services. I think each of us needs to look at that environment and how it is impacted and whether it presents an opportunity for something to get at that predator part of this, the perpetrator problem, as opposed to the others, which I think we have worked hard at and made some progress, the reporting and the victim care. We will never make enough progress, but we are at least moving in a positive direction there. I think you are right. I think every environment needs to be looked at.

The specific case you mentioned, General Ed Rice at Air Education and Training Command, as soon as he knew about the problem, has very aggressively done exactly that. He started a commander-directed investigation into the specific problem, brought in an outside commander-directed investigation to look at the larger cultural problem with that particular training organization, which spans all the specialties before they actually go to specialty training. Senator, I agree with you. We have to try anything we can.

Senator REED. I think you put your finger on the issue of predators because that is absolutely contradictory to what is the essential aspect of the American soldiers, airmen, sailors, marines, which is selfless service and complete and utter dedication to your subordinates, not exploitation of your subordinates. That is a lesson that every Service can learn.

Thank you very much, sir.

General Grass, congratulations. I am glad that you mentioned that Rhode Island has a relationship with the Bahamas. General McBride and I were trying to figure out yesterday which one of his very astute predecessors figured out it was necessary to mentor the Bahaman forces in the middle of winter each year. We could not figure it out. But thank you for that.

Your responsibilities on the Joint Chiefs of Staff are addressing matters involving non-Federalized National Guard Forces in support of Homeland defense and civil support missions. These are really the State elements of the National Guard that have not been Federalized.

As you approach this task—and you are sort of a groundbreaker. This is months into this new responsibility. Do you see this as an essentially two-way street where you will be talking to the TAGs

about what they have to do with State resources to enhance their non-Federal activities rather than just simply reporting back to the Joint Chiefs and saying they need more help or they need this and they need that?

General GRASS. Senator, first of all, because of the Chairman of the Joint Chiefs' position—of course as a principal advisor to the Secretary, as well as the Chairman, I have to have a very close working relationship, as also with the Chief of Staff for the Air Force and Chief of Staff of the Army and Secretaries of the Air Force and Army. What I bring to the adjutants general is an understanding of what is happening inside the Federal Government, inside DOD. From the State perspective, I need to be able to understand what needs the States have to be able to respond to fires, floods, tornados, and be able to come together with our partners within DOD and find a balance.

I just met with the Council of Governors on Sunday and we talked a little bit about this. We will be pushing and working very closely with the States to understand their requirements in the Homeland, especially working with the Federal Emergency Management Agency.

Senator REED. I think that is entirely appropriate. Given what we are all talking about, the budget limitations of the Federal Government, as you identify gaps in particularly non-Federal functions of the National Guard, there seems to be also at least the opportunity to talk about how States might, with their own resources, begin to fill those. I suspect you are going to at least do that.

General GRASS. Senator, in our current assignment out at U.S. Northern Command, we set on a path about 2 years ago to establish a chemical, biological, nuclear, radiological capability across the Nation. Part of that path that we were directed by DOD to put together was more regionally based. We have learned a lot from that, and it is in forming now regional plans and State plans at a level we never dealt with before.

Senator REED. No, I think you are going to play a critical role, and you are sort of the pioneer. Good luck and thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator Wicker.

Senator WICKER. Thank you, Mr. Chairman.

Gentlemen, thank you for your service. Thank you for your excellent testimony already. Thank you for referencing your families. We appreciate their service too.

General Welsh, congratulations on being nominated as our next Chief of Staff. You have experience as a commander in both Europe and the Pacific, 1 year at Kunsan I believe as wing commander.

General WELSH. Yes, sir.

Senator WICKER. DOD has announced a new strategic guidance encapsulated as "pivot to the Pacific". What do you think this pivot to the Pacific strategy will mean for the Air Force?

General WELSH. Senator, I believe what it means to us is there is a new strategic focus on the Pacific, meaning that our Air Force planning for capabilities to respond to combatant commander support needs to be focused on the Pacific first without forgetting the activity in the Middle East which remains a focus area as well. I

think it means that we have to start looking at things like development of combat capabilities to include weapons, to include tactics where we operate to a greater degree in coordination maybe with the U.S. Navy than we have in the past because of the battle space that you would anticipate for events that would occur in the Pacific. It has been clearly a Navy battle space for a long time with a very strong Air Force presence in Korea. We have to add the same air capability to support activity throughout the region of Pacific Command, and I believe we have already started down the road of making that integration and training possible and practical with the force structure we currently have. We have to continue to modernize in that direction.

Senator WICKER. Changes in basing, changes in movement of Air Force personnel?

General WELSH. Senator, I do not know right now. I have not been involved in actual basing discussions on the Pacific. I know that Pacific Air Forces is actually doing the same thing we have been doing in Europe, but with the focus of ensuring we do not lose combat capability in the Pacific. We have been looking from the other perspective of trying to maintain a partnership while looking at opportunities for reduction and consolidation wherever possible. If confirmed, I will be very involved in those discussions and will look forward to discussing the options with you.

Senator WICKER. Thank you.

Let me be specific about one recent development in the Pacific Command. I understand that Pacific Command recently requested that the Global Hawk currently in theater not be removed for retirement. Now, as late as a few months ago, Secretary Carter told this Congress and the world how essential this program is and the decision was made at some point to reverse that.

Notwithstanding your written answer supplied, that the current requirement for high-altitude ISR is being satisfied with the Air Force's fleet of 27 U–2 aircraft and its advanced multi-intelligence sensors, does the Pacific Command's request not imply that our U–2 fleet is not entirely sufficient to meet all the combatant commander requests for ISR support from the U.S. Air Force?

General WELSH. Senator, the decision on meeting the requirement with the 27 U–2s was based on the Joint Requirements Oversight Council-approved requirement for high-altitude combat air patrols, which was three. The Air Force budget position was that the U–2 fleet could meet that requirement. The Chief of Staff of the Air Force within the last week has decided that we will not remove the Global Hawks at this time from either the Pacific, Europe, or the Middle East until we have had a chance to take a look at the mitigation strategy for replacing that lost combat capability as soon as you start to pull the airframes out.

Senator WICKER. Who made that decision?

General WELSH. Sir, I believe it was the Chief of Staff. That was where I heard the direction come from.

Senator WICKER. I hope you will continue to work with me and with the committee to give us as much detailed information as you can about that.

Let me move to a general question. I am told the Air Force has requested a total of only 54 aircraft in this year's budget and that

to look at this situation historically, the last time this small a number was requested before the birth of the Air Force was before the birth of the Air Force, before the Army Air Force, before the Army Air Corps and before the Army Air Service. Is that correct?

Also, the Air Force has retired or requested to retire almost 600 aircraft in the last 4 years.

Should this committee be concerned about these facts? Do I have them correct?

General WELSH. Senator, you are close. I cannot specifically state the exact number, but you are very much in the ball park on those numbers.

I think we should all be concerned about that. I think it is a fact of life. As we look to reduce force structure to make cost savings, we are going to have to try and modernize the force in some way, which means we have to reduce some of our force capacity in order to provide the funding to do that.

I think the big issue for the Air Force is that as we move forward, for example, if I am confirmed, I believe one of my principal duties is to tell the Air Force story in a way that is not couched in Air Force blue. Our story is about supporting the combatant commanders and supporting the Nation in its goal of national security. I think over time, if you have the U.S. Air Force producing fewer aircraft per year than the other Services, which is happening over the next few years, then we may have the balance wrong. It is incumbent upon us to make that clear if that is the way we feel, and if confirmed, I will make that a principal responsibility of mine.

Senator WICKER. Thank you for that answer.

One final area. We have 10 C–130J aircraft at Keesler Air Force Base in my home State of Mississippi. The Air Force budget proposes to move these from Keesler. In that case, Keesler would be left without a flying mission.

Now, we have spent considerable taxpayer dollars on infrastructure at Keesler. I do not know how involved you have been so far in this, but I want you to tell me what you know about it and if you cannot, get back to me on the record. What business case analysis has been done to support the recommendation to transfer C–130s from Keesler to another Air Force facility? What do you say to the significant infrastructure in place at Keesler to support these C–130s, including state-of-the-art simulators, et cetera? What does that say about the stewardship of our taxpayers' dollars?

General WELSH. Senator, I can tell you nothing about the discussions that resulted in Keesler being identified for loss of the C–130s. I was not part of the discussions. I just do not know. I would be glad to take for the record, though, that information and get back to you after consulting with the air staff.

Senator WICKER. Okay. I will look forward to that, and thank you very much.

[The information referred to follows:]

The new DOD Strategic Guidance "Sustaining U.S. Global Leadership: Priorities For 21st Century Defense" directs the Services to build a force that will be smaller and leaner, flexible, ready, and technologically advanced. To deliver the capabilities required by this strategy and remain within funding constraints, the Air Force made difficult choices in all Service core functions. While remaining consistent with the new strategy, the Air Force fiscal year 2013 budget submission achieves $8.7

billion in savings across the Active and Reserve components by retiring over 200 aircraft in fiscal year 2013 and 286 aircraft over the Future Years Defense Program. Our programmed force reductions are wide-ranging and affect over 60 installations, including Keesler Air Force Base (AFB).

Air Force force structure reductions were a total force effort—Active Duty, Reserve, and National Guard—working together to achieve our end state of a ready and sustainable force that can meet our surge and rotational requirements. Secretary of the Air Force Michael Donley directed the Air Force to realign our forces to better meet this new strategic guidance to: ensure the total force can fulfill surge requirements; maintain a balance between components that allows us to fulfill continuing rotational requirements at sustainable rates; retain the recruiting, training, and operational seasoning base that is required to sustain the total force's needs into the future; and, ensure that the Reserve component remains relevant and engaged in both enduring and evolving missions.

To meet this end, the Air National Guard (ANG) developed five Capstone Principles to help guide this transition: allocate at least one flying wing with ANG equipment to each state; recapitalize concurrently and in balance with the Regular Air Force; manage ANG resources with ANG people; adopt missions that fit the militia construct; and, build dual-use capabilities (emergency support functions) relevant to the States. Similarly, the Air Force Reserve principles were: ensure that aircraft reductions do not negatively impact operational support to combatant commands; ensure that force structure movements do not create any new Air Force bills; ensure that risk is minimized by optimizing crew ratios to exploit expected increases in mission capability rates; and, consider locations that continue to have an Air Force mission due to the presence of another Air Force component. This total force approach allowed us to maintain the right Active/Air Guard/Reserve mix, which will allow us to meet our operational demands with a leaner force while taking care of our airmen.

The Air Force conducted detailed analysis of wartime and disaster response scenarios, including Homeland defense, consistent with the new DOD strategic guidance. This analysis validated a reduced airlift requirement, leaving the Air Force with excess airlift capacity. As a result, the Air Force was able to reduce the C–130 fleet by 65 aircraft. This reduction and the need to remission the total force based on the Air Force Reserve guiding principles drove the transfer of the C–130Js at Keesler AFB.

Our planned force structure changes at Keesler do not take effect until fiscal year 2014. Until then, all 20 C/WC–130s aircraft remain assigned. Even after the departure of 10 C–130Js in fiscal year 2014, approximately 1,300 Air Force Reserve personnel will remain employed at Kessler AFB to support the remaining 10 WC–130s and their Hurricane Hunter mission. The state-of-the-art simulator facility is sustained in the fiscal year 2013 President's budget (as well as other facilities) and will continue to be utilized by the 403rd Wing.

Senator WICKER. I look forward to working with all three of you.

Chairman LEVIN. Thank you, Senator Wicker.

Senator Nelson.

Senator NELSON. Thank you, Mr. Chairman, and let me add my congratulations and appreciation to all of you serving so well in our military and to your families, thank you very much.

General Welsh, currently there is progress that is being made toward constructing a new command and control complex for U.S. Strategic Command (STRATCOM) with military construction funds requested by the President and authorized and appropriated by this Congress for the fiscal year 2012. The mission of STRATCOM is at the forefront of our national security as the command and control of our nuclear enterprise which you have identified as your number one priority. STRATCOM plays an important role as America complies with the New Strategic Arms Reduction Treaty (START), among other things. It is imperative that our nuclear command and control node have all of the support and resources it needs to carry out its missions.

The entire project has been authorized, but because of the nature of this project, the Defense Department will have to request phased

or incremental funding and Congress will need to annually appropriate those incremental construction funds until the command and control center is complete. This will require more than 1 or 2 years.

We have already talked about the constrained budgets, facing a sequestration. Hard choices need to be made within DOD, and I know this has been and will continue to be a hard choice. But I also believe that our projects for this mission for cyber, missile defense, nuclear command and control—these threats will not likely dissipate.

Can you speak to why a new STRATCOM headquarters continues to be a priority for the Air Force, as well as a part of joint command effort that is imperative for our national security?

General WELSH. Thank you, Senator.

The Air Force has been supporting the development of this project. If confirmed, I will continue to do so. I do think the command and control capability that this will provide General Bob Kehler and, by extension, the Secretary of Defense, the President, and the Nation is absolutely critical to national security particularly because of the nuclear mission that they oversee but also in other ways: the ability to command and control space operations, the ability to develop cyber activity and a way forward in that arena, and monitor it when required through U.S. Cyber Command. I think all of those things drive this requirement and I believe I am fully onboard with this one, Senator.

Senator NELSON. I appreciate that very much. I know my colleagues, those who are still here, are probably tired of hearing me say it, but you cannot fight cyber warfare with drop cords. You have to have this kind of a structure that is more than a building. It is a warfighting machine with the high technology that will be included within it, high technology that others would like to track for their own use in other countries. Of course, the cyber terrorists who would love to be able to do it. That is why it is more than just simply a building. Would you agree with that?

General WELSH. Senator, I would agree with that.

Senator NELSON. Thank you.

Lieutenant General Grass, in the years following the Cold War, our National Guard became, as we spoke yesterday, woefully under-resourced. It was treated as a secondary force, supplemental, not an operational reserve. In the buildup during the wars, obviously we found out how woefully under-resourced it was and we have made giant strides towards correcting that under-resourcing.

Now that we are in a position where we are winding down certain functions because of the winding down of Iraq and ultimately Afghanistan, we do face with resourcing a critical point of whether or not the Guard—the Reserve as well, but the Guard in particular—will have the kind of resources necessary to remain the kind of operational reserve that it has become rather than mothballed into a supplemental force.

Can you give us some assurance that you will do everything sitting at the table to make certain that the Guard does have the necessary resources to remain capable of the role that it has now achieved and is operating in?

General GRASS. Senator, because of our dual mission, both Homeland, as well as being prepared to support the Army and Air

Force around the world, we do want to continue to maintain that edge. A lot of investment has gone into the Army National Guard and the Air National Guard in the last 10 years. We do not want to lose that. Part of that will be working with the Services to find the right balance, both from the homeland perspective as well as the overseas mission. Part of that will be getting back into some very innovative training opportunities, and some of that may be supporting the combatant commands as we did 20 years ago and 15 years ago before the wars started.

I am committed to you, sir. Senator, if confirmed, I can assure you I will make this a top priority to retain the great Air and Army guardsmen today.

Senator NELSON. It is critical in both homeland security, homeland functions in terms of natural disasters. As a former governor, having called out the Guard on more than one occasion and having had it respond admirably under the late Adjutant General Stanley Heng, I am one who knows how important personally that function is.

I was also distressed with the call-up of the Guard in, first, Afghanistan but then in Iraq to find that many of our transportation units from Nebraska faced inadequate resources at the time. Parents were buying walky-talkies from various stores, sending them over to their sons and daughters to use because they lacked the capacity to communicate in cargo trucking caravans. So it is something that simple but something that essential that we need to continue to know that it cannot be under-resourced for national security any more than it can be under-resourced for homeland security, including natural disasters.

I am very much aware of your commitment to that and I appreciate your stating it to us all here today.

General Kelly, I know as you go forward in this new responsibility with SOUTHCOM, you are going to be facing not simply drug situations, but violent extremist organizations and the growing engagement of Iran in the region. We always have concerns about the Iranian Revolutionary Guard Corps and its efforts to expand their influence not only in the Middle East. Containment has not been possible, but they have also found their way into your AOR. I know General Frasier has detailed the regional activities of Hezbollah.

Can you speak to your views on the increased presence of Iran and Hezbollah in SOUTHCOM and what you believe you will face and what kind of resources are you going to need to be able to fight these extremist groups?

General KELLY. I can, Senator. It would appear to me that Iran is on the march in many parts of the world, South America, Caribbean, Latin America, no different. Over just the last few years, they have expanded the number of embassies they have in that region of the world. They have quadrupled, I think, the number of cultural centers that represent the Islamist point of view, certainly the Iranian point of view. I think you know this, that the President of Iran has become very close with the President of Venezuela.

What we see right now is their desire to broaden and deepen their relationships with several other countries in the region. Unfortunately, it has been our experience I think around the world that where Iran goes, so goes the Qods Force, so go terrorism. Ob-

viously, we have to be very careful in watching that. I know General Frasier has this on the front of his screen.

Senator NELSON. We are faced right now with the President of Iran and President Chavez of Venezuela, two peas in a pod. What we have to avoid having is it become three peas in a pod through their expansion activities in South America and the Central American region as well.

Good luck. I appreciate it very much. Thank you all, gentlemen, and best of luck to all of you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Nelson.

Senator Brown.

Senator BROWN. Thank you, Mr. Chairman.

It was a pleasure meeting all of you in my office and discussing issues. I am not going to repeat those concerns.

Certainly, General Kelly, it is good to have a Massachusetts native and it is good to see you anyway. Your sacrifice and service to our country is very well known and appreciated back home in our State.

General Grass, being on the Joint Chiefs now, it is something we all worked collectively on this committee to make sure happened so we could find that good balance to make sure that the Guard was properly represented especially because of the yeoman's work they do not only at home but, obviously, when they are mobilized.

A question to you, General Grass. The State Partnership Program is something that I have not only participated in as a soldier by going to Paraguay and serving there, but there are many other Senators who have relationships through their States. The State Partnership Program—is that something you plan on continuing to support?

General GRASS. Senator Brown, I am a strong supporter, and as I mentioned earlier, working with EUCOM back in the mid-2000s, I had 21 countries in EUCOM and 7 at the time with AFRICOM that we worked closely with and saw the value every day, saw the relationships that were built over the last 20 years especially in what used to be Eastern Europe during the Cold War. I am a very strong supporter, and I think if you look at what we spend on that program as a Nation, the benefit we get is tremendous. I definitely plan to support it.

Senator BROWN. Thank you. You can certainly count on my support as well.

General Kelly, the same question. Obviously, there are States that participate in the State Partnership Program in the area of command that you will be responsible for. Is that something you also plan on supporting?

General KELLY. Absolutely, Senator. There are 31 countries in Latin and South America, and there are 25 partnerships. It is not only your State, of course, with Paraguay. New Hampshire is associated with El Salvador I believe. South Carolina—the Secretary, when we were down with him a couple months ago, announced that they would start to develop a relationship I believe with Brazil. It is a tremendous force multiplier, particularly in a place like SOUTHCOM.

Senator BROWN. Great. Thank you.

General Grass, I would like to go back to you. Obviously, sexual assault is something that is very serious in the military. It is something that is a problem. I know in the Guard, we have made some real strides recently to address it. What are your plans to deal with sexual assault in our Guard in particular?

General GRASS. Senator, it is extremely important to me not just as a leader but as a father that we treat every servicemember with respect. We have a unique issue in the Guard because of the dispersion in small town America, 2,700 armories across the Nation. Some of our servicemembers who have problems may not be able to be reached early and provide the right treatment and the right counseling. I know you have done some great work already in that area.

My goal is, if confirmed, to go in and take a serious look at this within the Guard and determine what resources we need and if we are adequately addressing the problem.

Senator BROWN. Thank you. There has been a real effort with General McKinley in this and he really dropped everything over the last couple of months to come up with a plan. I think that is a good plan, and I would look forward to making sure that you have access to that plan and get your blessing and support on it.

Also, I have heard that there is a potential about cutting drill pay for members of the Guard and Reserve as a way to help reform the Reserve component pay structure. I would just ask you to look long and hard at that because a lot of the time spent in the armories, as you referenced, around our country for the flag is always done without getting that pay is something I think will be a deterrent for our Guard and Reserve to serve. I just want you to be aware of that. It is something I am aware of and I would ask you to take a look at it.

General Welsh, touching base with cybersecurity, as was referenced earlier, I think and I think you and others believe that we are not only in that battle now, but there is more coming. That being said, Hanscom Air Force Base, I think, does it better than anywhere else in the country. We have the brain power, the technology, and the advancements with the Massachusetts Institute of Technology (MIT) and others, with Lincoln Labs wanting to participate and upgrade.

You are aware of that. We spoke about it. I would only state publicly I would ask that you give that base proper consideration when looking to expand that effort because I think you are going to get a good value for your dollar. You are going to get the best brains in the country out of MIT, Harvard, Boston College, Worcester Polytech—I could go on and on—to address that very real concern.

But to shift gears for a minute and to build off what Senator Lieberman said about the initial operational capability (IOC) date for the F–35, when do you think we will actually have one?

General WELSH. Senator, the plan right now from the Air Force is for the Commander of Air Combat Command, by the end of this calendar year, to come forward with a set of criteria approved through the Chief and the Secretary and coordinated within DOD that will outline the event-driven criteria for IOC. Associated with that should be a general timeline. I doubt if he will come forward with a specific date because it will have to be event-driven at some

point. But you should expect to see something by the end of this calendar year.

Senator BROWN. What is the current Air Force fighter shortfall? Do you know that?

General WELSH. Sir, are we talking about pilots or aircraft?

Senator BROWN. Aircraft. I am sorry.

General WELSH. I think when people talk about the current shortfall, they are addressing a shortfall versus the actual operational plans from the different combatant commands. A lot of this is based on modernization timelines, airplanes timing out over the next 5 to 10 years, and that is what the discussion has focused on. The 2013 budget was an attempt in one way to try and ensure that we knew clearly when capability would phase out and other capability would be available to prevent dropping below the required level.

Senator BROWN. Let me just interrupt and say, in layman's terms for those folks in the audience and those listening, are we okay in terms of our pilot and fighter aircraft as of right now with all the conflicts we have and any anticipated conflicts that we may have? Do we have enough fighters and fighter aircraft to do the job?

General WELSH. Senator, I think we have the right numbers today. We do have a concern about fighter pilot production and absorption into the fighter community. It has to do with numbers of cockpits available to train new pilots in. We are working that very aggressively. By the way, this is something that the total force is a clear part of the solution for and has been included in the planning since day one.

Senator BROWN. Great. Well, listen, I look forward to being honored to vote for all of you. I know we are in good hands. Thank you.

Chairman LEVIN. Thank you, Senator Brown.

Senator Begich.

Senator BEGICH. Thank you very much. Congratulations to all of you for being nominated and your service to this country, and I greatly appreciate the time you are taking here going through a hearing of this nature. Thank you all very much.

First, General Welsh, we had a great conversation yesterday, a lot of conversation about Alaska and some of the concerns we have up there. I just want you, if you could, to describe for the record; as we continue to move to the Asia-Pacific kind of posturing and what that means and how you see Alaska's role in that in the sense of its assets that we have there, but also if I can add a little bit additional and that is the Arctic and how that plays. Please give me your thoughts.

As a matter of fact, I met with some air carriers this morning about their freight traffic, and they talked about Anchorage as an important piece, and Fairbanks, how important that is for their business. But from a military perspective, as we again move to the Asia-Pacific posturing, give me your thoughts on the Alaska assets and the value or what needs to be done or not or what your thoughts are there and then the Arctic, if you could add that to the discussion.

General WELSH. Thank you, Senator.

In so many ways, geography still matters in a major way.

Senator BEGICH. You cannot move land.

General WELSH. No, sir.

As well as I do, that when our air forces are forward deployed, they serve as component commanders for the air part of the combatant commanders' array of forces. Admiral Sam Locklear in Pacific Command is very clear that Alaska and the Air Force forces stationed there, along with the Army forces stationed there, are critical to his posture for the Pacific theater.

Now, there is a reason we have our newest fighter based in Alaska. There is a reason we have tanker airlift stationed in Alaska, a tremendous tanker unit by the way. There is a reason we have tactical airlift, rescue forces, command and control aircraft. Geography matters. From that perspective, clearly Alaska is a very valuable platform for the U.S. Air Force.

The other thing that matters in a big way to me as a chief of Service, if I am confirmed, is training air space. It is treasure to us, especially as we go to new generations of aircraft that need more space to operate in and tactics involve larger spreads between aircraft and different types of scenarios. The range complex in Alaska is phenomenal.

Red Flag-Alaska gives us the opportunity to do another thing that is very important to me as a capability provider in the future, if I am confirmed, and that is to bring partners together. I had a meeting about a week and a half ago with the Polish air chief, his Polish F–16 unit. They just returned from their first trip to Red Flag-Alaska, and he wanted to come tell me how much they enjoyed it and how valuable it was as training for them and also asked my support in getting other newer member nations from NATO to consider doing the same thing. There are several who we have invited as an air force.

Lots of things are positive about the State of Alaska from an Air Force perspective, Senator.

On the Arctic issue, I am not an Arctic expert. The one thing I do know just from the NATO look at the Arctic in Europe and my air commander job there is that one of the problems we have is where do you train for Arctic warfare? Where do you test equipment for operating in that environment? Alaska, again, clearly provides us a great opportunity to do that.

Senator BEGICH. Very good. Thank you very much. For those folks from Poland and others that have those F–16s, you know we have some great F–16s in Fairbanks, at Eielson. I will just leave that there for now.

General WELSH. I have heard that, sir.

Senator BEGICH. You have heard that.

Let me ask, if I can, for you and General Grass—and you kind of mentioned it regarding the 168th Air Force refueling wing. This is the busiest wing in the northwest. It is an incredible, as you said, and important asset just because of where it is located and the value and the quantity of fuel. I know there has been a desire in the past by the Air Force to make the wing an association, which is an important piece which means manpower and so forth.

Can either one of you or both of you respond to that? When you move to that level, it means a different personnel level, but because

of its activity and potential of new aircraft, depending on what happens and where those are located in the future, it just seems like the opportunity to consider that or at least review that in the future seems to be worthwhile. Maybe you could, either one of you, give me a comment on that.

General GRASS. Senator, as the vice element commander for U.S. North American Aerospace Defense Command working closely with Canada, I know the value of those tankers. When we are setting in, whether it is a small aircraft coming through or an aircraft that recently across Canada that went out of communications, those tankers are some of the first ones that go up both to support the U.S. fighters, as well as the Canadian fighters. I know that value very much.

I know there is a balance there, and I will work very closely with the Air Force, if confirmed, to take a look at that and really work closely with the Director of the Air National Guard to understand it better.

Senator BEGICH. Would both of you be willing to commit to at least review and revisit the issue of the association for the 168th, as you have just mentioned? Are you willing to look at that again just to make sure, as you look at your 5- and 10-year plan, is there a need to revisit that? Any comment from both of you on that?

General WELSH. Senator, I would be happy to look at that. I was not involved in the previous discussions. I have no idea what the reasoning was for not doing that. I would be happy to look into that and get back to you.

Senator BEGICH. Very good.

General GRASS. Senator, I would be happy as well.

Senator BEGICH. I appreciate it. I just think as we look at this new Asia-Pacific piece, it just seems like that needs to be reexamined based on this larger picture.

General Welsh, again we talked yesterday, and I appreciate the candid discussion we had. We had a little struggle and I think some other Senators did too in the transparency that is necessary for community engagement and understanding of when realignments or situations change in the military operations. With the Air Force, we had a little concern about Alaska. Maybe you could give me your thoughts of this relationship between the Air Force, Congress, and the communities as we move through this new age of redeployment, reassignment, realignment—everything is "re"—and also our budgetary constraints and how you see your role in creating that kind of transparency that is necessary.

General WELSH. Senator, I believe that the pressures that are on us, especially from a budget perspective now, demand more sharing of information earlier in the process between all of the organizations and the bodies you just mentioned. I think there are factors that each one of those groups would bring in with a different perspective. I do not think the Air Force has the entire perspective considered early enough in the process. Part of my emphasis will be to make sure we do, that we are very closely connected to not just the Air National Guard but to the Guard Bureau, confirm that they are clearly closing the distance between them and the Council of Governors and the TAGs. I do not think we can move forward in any practical way without the Members of the U.S. Congress

being witting and understanding of the intent of the actions we propose.

Senator BEGICH. Very good. Thank you very much.

My time expired. I do have a question I will leave for the record for you, General Grass, in regards to the Guard and some other issues. I will just send that in for the record.

General Kelly, congratulations. I did not have a question for you, but if you were Doug Frasier, I would harass him because he was an Alaskan for a little while.

But I hope all three of you, even though you are from SOUTHCOM, at some point come to Alaska. It is a great opportunity to see some incredible troops. We just brought back almost 9,000 from Afghanistan a few months ago from our Stryker and others, and they did an exceptional job and we are very proud of them.

Thank you for your willingness to serve and willingness to take this next position. Thank you.

Chairman LEVIN. Thank you, Senator Begich.

Senator Portman.

Senator PORTMAN. Thank you, Mr. Chairman.

Thanks to each of you for your distinguished service and your comments this morning. I agree with the chairman. Your opening statements were moving and partly because of the incredible service that you and your family have provided. We appreciate that. You also bring a lot of experience to bear during a critical time. Our challenges have not diminished, but the budget pressures have increased. We talked a lot about that this morning.

General Welsh, I appreciate you coming by yesterday for a good discussion on some of the Air Force challenges that we face on the budget side. I would like to say publicly what I told you yesterday, which is I think, frankly, the fiscal year 2013 budget presentation by the Air Force did not have the kind of analysis and did not have the kind of relationship with Congress that would have been helpful particularly with regard to the Air Guard issues. I appreciated your comments yesterday, and I would like to give you a chance today to just talk a little about how you would like to see the Air Force budget process moving forward, particularly with regard to the guardsmen and the title 32 requirements and working with Congress.

General WELSH. Thank you, Senator.

I think what has gotten us to this point clearly did not work well, and I do not believe it is because the people were evil. I think they all have the best interests of the Nation at heart. I think it is because we did not understand how to make this process successful, and we cannot repeat that again.

I believe that there are things that the Air Force should consider earlier in the planning process. I think we tried to do that. Obviously, we did not have the details to the level of satisfaction of the other people who have to be part of this plan in the long run for it to be able to be executed. I think things like title 32 requirements should enter the front end of the discussion. I think the ability to practically execute a plan is something that can best be discussed with Members of Congress, the members of DOD, the members of the Air Force, and the National Guard Bureau, and specifi-

cally the Air Guard and Air Force Reserve. I think we all have a critical investment in this process working properly, and I think we all have an interest in making it work properly. If confirmed, that is my goal. How do we get to there from where we are today?

Senator PORTMAN. Thanks for those comments. General Grass is nodding there next to you with regard to the Guard.

We talked about acquisition improvement earlier, and the chairman and Senator McCain have spent a lot of time on this. There is a report recently by the Center for Strategic and International Studies. It is their acquisition study, and it indicates the Air Force trends are actually heading in the wrong direction despite all the good efforts that have been made. According to their report, total cost overruns of Air Force major defense acquisition programs actually increased. The overruns increased from $52 billion to $58 billion from the 2009 to 2010 years, the latest years for which they have data.

In light of what has happened with the JSF—the F–35 I know was discussed earlier—huge cost overruns and, as you indicated, also some major time issues not just for our military but for our partners, what is happening with the light attack support aircraft with the KC–46? What I would ask today is if you could just give the committee a sense of how you would tackle this issue. What would your priorities be? How would you go about it? I am not suggesting it is entirely an Air Force issue. It is certainly not, but it does happen that a lot of these projects do land on the Air Force major defense acquisition side and so you will be very involved with them.

General WELSH. Thank you, Senator. I know that you are very well aware of the talent level and the work ethic of the men and women of Wright-Patterson Air Force Base, for example, who manage many of these programs or supporting programs. This is certainly not a lack of effort that is causing the problem. We have very talented people in our acquisition workforce.

I believe there are three key things that we have to track and things that, if confirmed, would be my focus areas going forward in the acquisition business.

Number one, we have to be very disciplined in the way we establish and then control requirements, especially to major acquisition programs. We do have a history of requirements creep occurring. I believe that one of the roles of the Service Chief is to be visibly involved in the requirements process for major weapons systems for your Service, and if confirmed, I will be.

I believe the second thing we have to focus on is disciplined—and that is disciplined with a capital D—execution of these programs. If you stress that cost is a key performance parameter, then anything that affects cost has to get visibility up to and beyond the program manager level as opposed to trades being made with good intent that end up mushrooming into much larger costs.

Finally, I do believe cost has to be a key performance parameter in major programs. It just has to be that way. We have not in the past and we certainly do not going forward have the luxury of allowing programs to expand to 30–35 percent over cost and schedule. Unacceptable.

Senator PORTMAN. We talked initially about the budget pressures, and this is certainly an area where there could be vast improvement. I appreciate your personal commitment to that. Leadership at the top. I think you are right. The metrics are right. I would also say competition and transparency helps, and we have talked a lot about that in terms of the JSF. But I do think there is a great opportunity actually with you coming in with some fresh perspective to be able to help on that.

On science and technology, you know how I feel about this. It is a tough budget environment and it is too easy to see science and technology become the billpayer. We are eating our seed corn if we do that. I appreciate your comments yesterday on it, I know how you feel about it. But I think ultimately our qualitative advantage that is talked about a lot is going to be because of these significant improvements we have seen over the decades in science and technology which we are enjoying now from investments we made 10 years ago.

You mentioned Wright-Patterson Air Force Base. We are very proud of the Air Force research lab and the cutting edge work that is done there. We love having the Air Force Institute of Technology (AFIT) there. We think that is an incredible resource for the military, not just the Air Force but our military at large.

In your opinion, could you characterize the health of the labs and what your priorities would be for the research and technology efforts of the Air Force?

General WELSH. Yes, Senator, thank you.

I was just at Wright-Patterson last month and talked to a number of the folks in the labs about programs they are working. They are terrifyingly smart. They are very committed to this activity, and I was astonished at their capability quite frankly.

I am a believer that one of my responsibilities as the Chief of Staff, if I end up in that role, is to shape the future of the U.S. Air Force to the greatest extent I possibly can in cooperation with all the agencies and organizations that support us. One of the ways you do that is by investing in the future, and I think that is what science and technology investment is. I think we have to continue to invest in that region.

You mentioned AFIT, sir. That is investment in the people side of our technology and technology development. It is an opportunity for our Air Force to send young officers to a program based on their area of work in the Air Force. They are competitively selected, and they are trained specifically to improve capability for our Nation in that area. I think they are both essential parts of the plan going forward, and I will be a very big supporter.

Senator PORTMAN. Thank you again. We are appreciative of your willingness to step forward and take on this role, and we look forward to your confirmation.

My time is coming to an end here quickly. General Kelly, I just have one quick observation to make. First of all, thank you for your service and your family's service and sacrifice. You are taking on an incredibly important task.

I have to comment that based on your interaction with Senator McCain earlier on the substance abuse, the drug issue, I could not agree more. I have actually worked a lot on the demand reduction

side, including with the chairman's brother, Congressman Sandy Levin, and I do think that is where we are going to get the most progress.

Have you had the opportunity yet to sit down with one of your predecessors, assuming you will be confirmed, which I am confident of? General Barry McCaffrey was SOUTHCOM Commander from 1994 to 1996, and later became Drug Czar. I worked closely with him on a number of pieces of legislation. He became, as you probably know, a true believer on the demand-side reduction. I wonder if you have had a chance to visit with him?

General KELLY. I have not yet and I had not thought of that, but that is a great idea, Senator.

Senator PORTMAN. He is an Army guy, not a marine.

General KELLY. He is all right. [Laughter.]

Senator PORTMAN. Notwithstanding that, I think you guys will have a lot to share, and again, he has a wealth of experience now on the domestic side of this. I wish you the best of luck. This deteriorating situation in Central America is heartbreaking. I worked a lot on the Central American free trade agreements trying to help their economy down there. We are heading in the right direction in many respects, but this is devastating to those countries and to those communities and those families.

The best of luck to all three of you gentlemen.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Portman. Thank you for your emphasis on the demand-side of this drug problem and Senator McCain as well and you too, General Kelly. I think it is an important element to get into this discussion and to stay in the discussion.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

I want to thank all of you who are here today for your service—you have incredible records of service to our country—and of course, to your family for all of their sacrifice and service.

First of all, I wanted to ask General Kelly. Yesterday I had the chance to do a panel on the issue of sequestration, and this panel discussion at Tech America was not only focused on the overall impacts to our national security, which I know all of you have described as catastrophic and we know that our Secretary of Defense has described in the most direct terms as shooting ourselves in the head.

But what I was really struck with, General Kelly, is Sergeant Major Carlton Kent testified. He is now retired from the Marine Corps. He was really concerned about us breaking faith with our marines. I would ask you this. Can you tell us if we do not address sequestration pretty quickly around here, what are we doing to the morale of our troops? I would start with you, General Kelly, and then also General Welsh and, of course, General Grass to comment as well because we talk a lot about the weapons systems and everything else, but we are talking about our men and women in uniform who have shown such great courage and have made so much sacrifice for this country. Can you give us some insight on that morale issue?

General KELLY. Absolutely. First of all, I would never disagree with Sergeant Major Kent or any other Marine sergeant major. [Laughter.]

I agree with Sergeant Major Kent. I believe it would be breaking faith.

I think one of the things that the leadership in DOD, in fact, the leadership throughout Washington, have to understand is that there is a great deal of churn in the minds of particularly the families, the spouses, of what is going on in the military. If you listen to them and get out and about as I do with the Secretary of Defense, the thing that they are confused about or concerned about is the uncertainty. We have, from their perspective, certainly massive budget cuts. We have force reductions. We still have a war going on, and I do not think anyone in the room would disagree. It is a very dangerous world and who knows what comes next. If you put all of that uncertainty into a blender, so to speak, and mix it up, that is where hollow forces in my estimation begin. We saw that in my own career in the 1970s and again in the 1990s where the uncertainty causes people to say time to go, I do not know if I am going to have a job next week or next month.

I believe the Nation has made a commitment, particularly now that we have an All-Volunteer Force, to the service men and women that serve and their families. We have made a commitment to take care of them not just because we are at war, but perhaps that reinforces the commitment. They give enough. It is a tough row to hoe as a military family, spouse, member, and we owe it to them to certainly not include them in on the consideration as we look at sequestration.

Senator AYOTTE. Thank you.

General Welsh.

General WELSH. Senator, the men and women of the operational Air Force have been deploying in support of contingency operations, along with their fellow service mates, for the last 22 years now, in other words, on to the Middle East. What they are looking for right now in many cases is stability, and stability does not mean nothing changes. It means a plan that we can execute. They are very good at that. They just want to know where we are going so they can start to get to work on it.

General GRASS. Senator, I had a chance to go down to Fort Carson and visit with the units that are either departing or are returning home. When you look in the eyes of the young families with children and the spouse is there and the husband is on his fifth, sixth, seventh deployment and they wonder what is it for the future. Should I stay in this career field? Should I move to another career field? We hear that.

I think there is another part of this, which is maintaining those combat-proven warriors that want to be leaders and lead our military in the future. I think sequestration will push us to the limit where we will lose some of our best and brightest.

Senator AYOTTE. Let me follow up with you, General Grass. General Odierno has testified before the committee that what sequestration, as they have estimated, would mean for our Army is an additional 100,000 reduction in forces for our Army on top of the already roughly 72,000 reductions that we are already making. What

he told us was that 50 percent of those would have to come from the Guard and Reserve. What does it mean to cut 50,000 from our Guard and Reserve in terms of not only our national security but our Homeland security?

General GRASS. Senator, I have not had a chance to study those figures, but as you know, every day there are 5,000 to 7,000 guardsmen on State Active Duty and 25,000 deployed overseas. If we lose capability, we will have to definitely take a serious look at whether we can continue to do the jobs to support our communities.

Senator AYOTTE. Those jobs also include an important function to our Governors in responding to national disasters as well Stateside, do they not, General Grass?

General GRASS. Yes, Senator, they do.

Senator AYOTTE. Absolutely.

This is an issue that has to be addressed right away, and it is my hope that on a bipartisan basis, that we will put aside the election-year politics and get this resolved on behalf of all the men and women who serve underneath all of you so admirably and courageously.

In addition, I would like to follow up on another line of questioning particularly addressed to General Welsh. One of the issues I have been concerned about, we are talking about sequestration, but in order for us to make good decisions about responsibly spending the taxpayer dollars that come to DOD, this audit issue has been very important. I have certainly appreciated what Secretary Panetta has said about trying to make sure that we meet a Statement of Budgetary Resources by 2014. In fact, it is now incorporated in the defense authorization. I had asked for it, pushed for it. I know others on this committee have been very focused on this issue.

I understand that the Air Force has had some of the greatest difficulties. General Welsh, will the Air Force meet the 2014 deadline to complete a full Statement of Budgetary Resources, and how important will you make this issue as the Chief of Staff of the Air Force?

General WELSH. Senator, my honest answer is I do not know. The biggest limiting factor we have right now are systems that share data. The systems we have on the books that will help do this kind of audit readiness work do not deliver until after 2014. So it is causing this to be done manually, which is not the ideal way to do it.

Senator, I can tell you this. There is a lot of effort going on in the U.S. Air Force, all the way down to the squadron level right now. I have met with my wing commanders, for example, in Europe three times over the last 4 months on this topic. We are working it as hard as we can. I do not know if the corporation can get there by then because of the problems with uncovering and sharing data in the right ways. Clearly, this will have to be a focus area, if I am confirmed. It is now for the Air Force. I can assure you of that. We will do everything we can to make that deadline. I just do not know the answer yet.

Senator AYOTTE. I appreciate your testimony and your candidness, General Welsh. I obviously hope that you will make this a top

priority because we have to be able to look the American people in the eye and tell them that their taxpayer dollars are spent wisely. Again, as we look at something like sequestration, then every dollar we need to be able to account for. I really appreciate your looking at this issue and one that I know is of great importance in making sure that we are watching the taxpayers' dollars.

My time is up, but on a final note today Russia and China vetoed the United Nations (U.N.) Security Council resolution that would have imposed new sanctions on the Assad regime in Syria. It is outrageous. I make this point because, General Kelly, you said we still live in a very dangerous world, and we know China is continuing to invest in its military. Certainly our relationship with Russia has changed, but we need to make sure that we have a strong military, otherwise other countries around the world will feel that they can just run all over us. Again, another reason to address sequestration.

I appreciate the leadership of all of you. Thank you.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

Thank you all for your service and particularly your families for your service which I know, as you have said very movingly and powerfully, has been integral and essential to the work that you have done for our Nation. I thank you and them for your service and sacrifice. In particular, General Kelly, thank you to your family.

I would like to ask you, if I may, sir, about the MC–12 which is important not only to SOUTHCOM AOR but also to our National Guard. As a matter of fact, Connecticut's Air National Guard is expected to receive 9 to 11 planes. This is a question as well for you, General Grass.

What is your assessment of the MC–12s future role in the drug interdiction mission in SOUTHCOM's AOR? Do you think it has a role? How effective will it be? Will it have a role in the Air National Guard?

General KELLY. I can speak certainly to platforms like the 12. As I think the Senator knows, the SOUTHCOM command is an economy of force command in the national strategy that has been developed. In fact, it has been this way for a great many years.

The kind of things that go on in South America's SOUTHCOM are things that are unique probably to this theater. Anything and everything that can be provided to SOUTHCOM that can help us get our arms around tracking illicit drugs, as well as helping the various countries down there, most of whom are very friendly to the United States, most of whom want to partner with the United States—anything we can do to help them, provide them intelligence and insights into the networks that they deal with, the criminal syndicate networks, would help them immeasurably. We do not want to fight their war for them on the ground. What they do really lack is a way to get into the networks as no one else but the United States military can do.

Senator BLUMENTHAL. Thank you.

General Grass.

General GRASS. Senator, all ISR aircraft today are very heavily committed, no doubt. I think the asymmetric warfare that we are going to face both not only today but in the future will demand more. I am committed, Senator, if confirmed, to continue to work with the Air Force and General Welsh to take a look at both the sourcing and also the stationing of those forces in the Air National Guard.

Senator BLUMENTHAL. I appreciate that interest and that commitment. I believe very strongly that the MC–12 has the kind of role that you have described, General Kelly, and appreciate, General Grass, your commitment to keeping strong and even strengthening the role of the Air National Guard because in Connecticut, as you well know, in the two wars that we fought, it has been a very profoundly significant force, I think, for our military readiness and for our effectiveness in those theaters. I thank you for that commitment.

I would like to raise with you an issue that I think we have discussed a little bit, perhaps has not arisen today, but I think is very important to all of our veterans, most especially to our National Guard and our Reserves, the issue of making sure that they have employment when they come home. Unemployment rates among the recently returned veterans, particularly our younger veterans, are significantly higher than the general population, which I think is absolutely unacceptable and intolerable. We owe them better. We must do better for them. I am particularly troubled by the potential and the allegations that I have received—I think they are credible—about possible discrimination against them that may occur in the job marketplace because they may be deployed because they are committed to being available when the Guard and the Nation needs them and our reservists as well.

I do not know whether you have any comments as you sit here now about that issue. I know it concerns you, but I would welcome any comments that you do have.

General GRASS. Senator, I think as we head forward and you look at the use of the Guard and Reserve, the employer support to the Guard and Reserve program is an outstanding program. If confirmed, one of the commitments I will make is to take a look at what are the base root of the problem both from an employer perspective, as well as an employee perspective. Then I will get with the adjutants general and look at best practices across the Nation, look at some of the statistics of what programs have worked best, and then build a plan to move forward.

Senator BLUMENTHAL. I cannot speak for my colleagues here today or generally but I think that you will find a very high degree of support for any programs that provide job opportunities, training, counseling, education. Insofar as health care is related to those job opportunities, I think there will be a lot of support for it because as we have also discussed, I think our Guard and Reserves will be playing an increasingly important role as our citizen soldiers and have throughout our history proudly in Connecticut certainly, and thank you for your commitment on that score.

General Welsh, you mentioned the possibility on the issue of sexual assault for perhaps better screening and assessment at the

front end of people going into our military. I wonder if you could perhaps expand on that thought.

General WELSH. Senator, I will be happy to. I wish I knew enough about the available tools to be able to expand on it in a meaningful way. I just believe that is the piece of this we have not successfully taken on yet. If we can stop the crime, everything else becomes easier, and that should be the goal.

I know there is work in the social sciences to look at screening tools for different kinds of behavior. I do not know personally if there is a tool that allows you to identify someone with predator tendencies. But we certainly should be looking into that. I hope somebody is. I just do not know that they are.

I think we need to look at other things in that pre-crime phase, if you will, things like the possibility of raising punishments for lower-level offenses within this category of crime under the Uniformed Code of Military Justice. Anything that can be seen as either a screening force, a deterrent force, or the ability to respond rapidly and as publicly as possible to the commission of a crime may help identify or suppress the people who can commit this crime. I do, however, believe that there are a certain number of predators everywhere, not just in the military, but we have them. If we can somehow target that group at the front end, some of the most horrible incidents can be eliminated before they occur.

We all feel, Senator, these are like our children that we are being given the privilege to command. Anytime this happens, it is horrible and we are not doing enough to stop it.

Senator BLUMENTHAL. I am very sympathetic to your answer. I am very supportive as a longtime prosecutor before I moved to this job and particularly on the prevention and the deterrent end and also have been very interested in the possibility for enhanced advocacy for victims so that they feel more welcome as a part of the prosecution process which will enhance their willingness to come forward and cooperate.

Unfortunately, my time has expired, but I would welcome an opportunity to pursue this issue with you. Thank you very much.

Thank you to every one of you and your families again for your extraordinary service and sacrifice.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Blumenthal.

Senator Chambliss.

Senator CHAMBLISS. Thanks, Mr. Chairman. Let me echo the sentiments of my colleagues about thanking you and your families for your great commitment and your service to our country, gentlemen.

General Welsh, DOD and specifically the Air Force has a very robust maintenance capability, and it is vital that we retain an organic capability and capacity within the Air Force depots to ensure that the response to significant military operations and national emergencies is there. The ability to conduct some of this work in house also provides negotiating power for the Government when contracting with industry. It allows DOD and the taxpayer to pay competitive prices for the maintenance work.

If confirmed, what is your vision for depot maintenance and logistics within the Air Force?

General WELSH. Thanks, Senator. If confirmed, I would intend to pursue exactly that course. I agree with your assessment, sir. I believe that it is an organic capability that we must maintain for any number of reasons, from professional development of career forces that can deploy and serve in forward areas, to costs and efficient operations in the actual execution of the work, to cost savings. My personal opinion is this is a very good thing for our Air Force and we should continue to focus on it.

Senator CHAMBLISS. General Kelly, you and I have come a long way over the last couple of decades that we have known each other, and I want you to know how proud I am of you and of your service to our country. Thanks in particular to you.

I want to talk to you for a minute about ISR. The availability of ISR platforms is going to continue to be a major requirement of SOUTHCOM. The current commander, General Frasier, has often referenced the need for improved ISR operations within SOUTHCOM and specifically the need for imagery intelligence, wide-area coverage, sensor integration, signals intelligence, moving target indicators, layered ISR architecture and management tools, as well as biometrics.

If confirmed, how do you plan to work with DOD and the Intelligence Community to prioritize and acquire these assets for your AOR? Do you foresee any additional requirements or assistance that you anticipate needing with respect to ISR?

General KELLY. Senator, if confirmed, I will make as much noise as I possibly can within certainly the halls of the Pentagon to increase the amount of ISR. My current position allows me to see where almost every ISR asset in the world is being utilized. What I can tell you from that is that there is simply not enough ISR to go around. It is obviously concentrated in a couple parts of the world doing very important work.

My hope is that as the war in Afghanistan winds down and, frankly, the Air Force and the great airmen that operate particularly the drones and the higher-level ISR, as well as aircraft and whatnot—as they begin to recover from what is just an unbelievably demanding day-to-day existence fighting or maintaining ISR over the battlefields of the world, my hopes are, as we come down from the war in Afghanistan, as we have from Iraq, that some of that ISR will be made available to places like SOUTHCOM.

Senator CHAMBLISS. With respect to the Western Hemisphere Institute for Security Cooperation, Chairman Levin and I both serve on that board. I have tried to stay pretty active with that group, and now that you are coming on board there, we look forward to working with you and seeing you at Fort Benning soon I hope.

General Welsh, JSTARS provides the ground movement target indicator capabilities to the warfighters. You and I discussed yesterday an extremely important ISR platform. I am disappointed that despite the findings of the recent AOA and the Air Force's long-term responsibility for carrying out the ground moving target indicator mission, that the Air Force does not have a plan for how to carry out this mission long-term. There is essentially no money in the Future Years Defense Plan to modernize JSTARS. The Air Force has not looked carefully in my view at potential options like procuring a business jet platform to carry out the mission.

Can I just have your assurance that upon confirmation, that you are going to look into this issue immediately and come back and let us visit and let me have your thoughts on this? I know you indicated to me you really have not had the time to study it, but I just want to know that you are going to look at it in the near term and let us visit further on that.

General WELSH. Senator, if I am confirmed, I will absolutely do that.

Senator CHAMBLISS. Another issue that is of significant importance from the standpoint of the tough budget times that we are in right now is the issue of multi-year procurements. Multi-year programs like the C–130J—we had one on F–22, and we need to be looking at further multi-year procurement opportunities like that with the F–35.

Can you share with us your thoughts on the value of multi-year procurements and particularly with respect to these major weapons systems that we are looking at?

General WELSH. Thank you, Senator. I think clearly from a logic perspective, multi-year procurement would always be the way to go if there were no other factors prohibiting it just for the cost savings alone. That, of course, requires a stable investment plan that has to remain realistic despite the turmoil associated with the budget. I do not know about recent decisions on whether to or to not enter into multi-year procurement plans versus year-to-year plans. I suspect decisions that have been made in that regard are basically due to the question marks surrounding the budget landscape in future years in an attempt to maintain some flexibility to work in budget in that environment. But I think clearly from my viewpoint, if you can buy multi-year, it is the best way to go from a cost perspective.

Senator CHAMBLISS. In a similar vein, we know we are going to buy weapons systems in the near-term years. Putting advance procurement money in the budget has always seemed the best way to go, and we have had an issue in the last two marks in this committee with respect to advance procurement on C–130Js. Is there any question in your mind that what providing for advance procurement funding on weapons systems that we know we are going to buy is not the right direction in which to go?

General WELSH. Senator, I would agree that again from a cost perspective only, it is always a good way to go.

Senator CHAMBLISS. General Grass, unfortunately my time is up. I do not want to slight you in the least, but thanks for your service. The 48th brigade in Georgia has been very active in both Iraq and Afghanistan. We have had a number of Georgians who have paid the ultimate sacrifice, but yet our morale is extremely high and our folks remain committed, capable, and well-trained. We look forward to working with you to make sure that level of competence within not just the 48th, but the entire Guard is there.

Thanks very much to all of you.

General GRASS. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Chambliss.

Senator Hagan.

Senator HAGAN. Thank you, Mr. Chairman, and Mr. Chairman, my remarks will be short today. My questions will be short because

I have to preside over the Senate at noon, and that is one of those areas where you just cannot be late.

I really want to thank all of you for your warm comments about your spouses, and I think we all know how important family is. Especially in your position, I just want to echo your comments and thank all the family members and the wives for all of the service that you have given our country too. So thank you.

General Kelly, in May, the Drug Enforcement Agency (DEA) and Honduran law enforcement conducted a failed operation against a contingent of drug traffickers. This operation was conducted using State Department-owned helicopters that were piloted by the Guatemalan military and Honduran law enforcement were aboard. This complex arrangement is partly the result of DOD's reluctance to modify the rules of engagement for the helicopters located at Soto Cano Air Force Base to match the rules of engagement used to support the DEA in Afghanistan, and it looks like a cumbersome arrangement.

What are your initial thoughts on the rules of engagement that require such complex coordination, and do you think that this type of arrangement is necessary? If confirmed, will you review the rules of engagement for the Army helicopters at Soto Cano?

General KELLY. Senator, certainly if confirmed, I will take a hard look at this issue. I do know that the arrangements that exist between SOUTHCOM and the military and then other agencies, of which there are 15 or 16 that SOUTHCOM actively works with, DEA and others—there are some pretty specific command lines. Certainly DOD forces are chartered to attempt to pick up, particularly in the air and the sea lanes, the movement, do not have that responsibility ashore. But certainly if there are better ways to do business, to break down barriers, to streamline particularly if you have to have things in place but to streamline an ability to get authorization to break the rules, if you will, legally, that is something that is just in everyone's interest.

When we started this journey in Iraq and now Afghanistan, there were many procedures that were in place between the Services and the various intel agencies that over time made no sense and we broke those down, and they are very streamlined there. I am guessing but I think we could probably do the same thing, and if confirmed, I will take a very hard and immediate look at that.

Senator HAGAN. Thank you.

My last question has to do with cybersecurity. General Welsh, as we look at these issues, I think we need to look at how we view cybersecurity and regard it as a military capability. We need cyber operators not just technicians and a culture that sees cybersecurity as a military capability.

In your opinion, what does the Air Force need to be doing to recruit, train, and retain cyber airmen and encourage innovation in the cybersecurity operations? What needs to be done to support a cultural shift to view cyber more as an operational capability than a technical skill set? I really worry about the availability of enough of these cyber technically skilled people coming into our military.

General WELSH. Senator, thank you. There has been great support from Congress and specifically the Senate I think in the past on hiring authorities that have allowed us to bring in more and

more of the right level of qualified people to do these jobs for us. Thank you for that.

I agree with you that this is an area that we are still trying to grow into our own skin on from both the joint and the Air Force perspective. I think that General Alexander in U.S. Cyber Command, working with General Kehler in STRATCOM, are putting together the specific requirements that the Services can then try and organize, train, and equip to. Once we clearly identify those, I think we will find, at least in the Air Force, that the great majority of our people are people who actually help establish the architecture, the infrastructure within which our cyber operators will then operate. Those operators need to be recruited very carefully, trained very carefully in a different skill set than the people who establish, operate, and defend the architecture. I think that is our first task, making sure we have that organizational construct clear in our minds, we know exactly who we need and what skill set, and then we focus on finding the right people and training them the right way.

Senator HAGAN. We are competing directly with industry on these issues. I think it makes it even that much more difficult.

Mr. Chairman, thank you very much. Thank you.

Chairman LEVIN. Thank you, Senator Hagan.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

To all of you, you have really accorded yourselves well, and I want to share Senator Hagan's comments about the way you recognize your family. I think it speaks volumes to who you are as individuals. I know that a lot of military families have suffered, and General Kelly and Mrs. Kelly, we appreciate what you have all gone through very much.

General Kelly, how would you rate the security on our southern border right now?

General KELLY. The fact that we have such a drug problem and availability of drugs north of the border tells me an awful lot about——

Senator GRAHAM. We are finding tunnels.

General KELLY. Tunnels, the so-called mule trains, things coming in across in cargo.

Senator GRAHAM. On a level of very secure to very insecure, what is your general opinion? I know you have not had time to study it in depth, but going into your job, what is your general view of the security on the border?

General KELLY. Senator, based on the availability of drugs in America, it does not seem like it is very secure at all.

Senator GRAHAM. I could not agree with you more.

Please think long and hard about what the command can do to make it more secure in light of the Posse Comitatus Act. Do you agree this is a national security threat not just a law enforcement threat?

General KELLY. Drugs in America?

Senator GRAHAM. Yes.

General KELLY. Absolutely, Senator.

Senator GRAHAM. Do you think these same tunnels can bring terrorists to our country too?

General KELLY. They can or any other type of——

Senator GRAHAM. These mule trains can transport a lot other than just drugs, right?

General KELLY. Absolutely.

Senator GRAHAM. I think it is a growing threat and I want to see what our military can do to help the law enforcement community to deal with it.

General Grass, on the National Guard front, what does it mean to have the National Guard Bureau Chief as a member of the Joint Chiefs to you and how can you effectively use that position?

General GRASS. Senator Graham, as a member of the Joint Chiefs, I definitely have to bring forward the adjutants general and the Governors' thoughts, concerns on the Homeland mission, but I also need to be able to balance that with the Federal mission and deployable forces and be able to give my best military advice to the Secretary of Defense, as well as the Chairman of the Joint Chiefs.

Senator GRAHAM. Do you think you could maybe help referee this problem the Air Force has?

General GRASS. Senator, the nominee here to my right and I have already had a number of conversations.

Senator GRAHAM. The reason I pushed so hard to have the National Guard represented, we are so integrated now and the State homeland security mission is very important, but the Federal need for the Guard is probably the greatest since the American Revolution itself. I think this whole problem with how you construct a new Air Force in tough budget times with the Guard and Reserve, that if you had been in place longer, it would have helped. The goal is to have a guy like you there talking to the Air Force or the Army—maybe next time it is the Army—to give them some better intel and insight on how this all plays out. I think not only can you be a good partner, you can be a good advocate too. I hope you will take that challenge up.

General GRASS. Senator, I totally agree. As soon as I get on board, I will make partnerships quickly.

Senator GRAHAM. General Welsh, I have just been very impressed with the way you have handled yourself here and the way you articulate your view of being the next Chief of Staff of the Air Force. General Schwartz is a fine man, and I think he has done a good job during tough times.

What is your view of the Air Force's standing in Congress right now?

General WELSH. Senator, I believe there is some concern, and I would tell you that it is fairly widespread from the opportunities I have had this week to meet with many members of this committee. It is not isolated to a particular issue or a particular region. I think it is something that we need to pay a lot of attention to. I think there is a trust problem that the Air Force must address and improve.

Senator GRAHAM. Saying that is not a reflection on General Schwartz or Secretary Donley, but your intel is good. We want to help you to start a new chapter, for lack of a better word.

Now, back home, the CENTCOM flag is forward in the United Arab Emirates. The CENTCOM commander's home station is Shaw Air Force Base. Is that correct?

General WELSH. Yes, sir, that is correct.

Senator GRAHAM. That is not going to change, is it?

General WELSH. Senator, our chief is on record as saying that is a temporary assignment.

Senator GRAHAM. Okay. Now, what I would like from you before we vote is some coordination between you and General Mattis if you can give me a general time period of when the flag will come home. I understand it needs to be forward because of Afghanistan and particular threats may be coming from Iran in the future. But I think what the people at Shaw are looking for is some kind of time period. It does not have to be an exact day or month when they can be reassured that the flag is coming back. Would you get with General Mattis and get back with me about that?

General WELSH. Senator, I would. I do not know General Mattis' view, so I will find out and get back to you.

Senator GRAHAM. I would appreciate if you would find out before we vote.

[The information referred to follows:]

I connected with General Mattis about the Shaw three-star position, or as he knows it, his Combined Forces Air Component Commander (CFACC) position. U.S. Central Command continues to examine forward presence requirements across all their components, but he and I believe that a return of the Air Force three-star (CFACC) to Shaw Air Force Base no earlier than the summer of calendar year 2015 is a viable option. We will re-examine and reassess the operational environment in the spring of calendar year 2014 to determine whether this "change of construct" will support projected operations in calendar year 2015.

Senator GRAHAM. Now, trainers. The T–38 has been a good airplane. It is about as old as I am. I need a tune-up, I think. The efforts to get a new trainer keeps moving to the right because you have budget problems. How do you view the need for a new trainer in terms of the priorities of the Air Force?

General WELSH. Senator, training is foundational to our Air Force. It is absolutely essential. In times especially where money will get tight and the force structure will be adjusted, the two things that we cannot stop doing is recruiting the right people and training them better than any other air force in the world trains their people.

Senator GRAHAM. So you think we need a new trainer?

General WELSH. I think the entire Air Force believes we need a new trainer, Senator. The issue right now has been what do you trade for it.

Senator GRAHAM. Right.

General WELSH. I believe this is a discussion that must take place every year until the time when we can begin.

Senator GRAHAM. To the committee, to highlight the General's dilemma here, night vision goggles training is very difficult, if not impossible, with the T–38. Is that correct?

General WELSH. That is correct, sir.

Senator GRAHAM. Air refueling is very difficult, if not impossible. Is that correct?

General WELSH. That is correct, sir.

Senator GRAHAM. High-G performance [high levels of acceleration training] is very difficult?

General WELSH. Yes, sir.

Senator GRAHAM. If you are talking about the fourth or fifth generation fighter, you want a trainer that would allow you to be trained for those fighters. Is that correct?

General WELSH. It makes it difficult, sir.

Senator GRAHAM. About the Air Guard/Air Reserve, I think you have given an excellent answer, and I will be the first to say that the Air Guard and Air Reserve is going to have to take some reduction. Everybody else is going to take a reduction, including the Air Guard and the Air Force Reserve. We just want it to be within means and within acceptable ranges.

A final comment to each of you. Do you agree that if Congress does not get a handle on TRICARE and health care costs that are growing exponentially in the DOD budget, that you are going to have to make some draconian choices in the future between health care for our families and the retired force and the ability to train and fight?

General KELLY. I do, Senator.

General WELSH. I do, Senator.

General GRASS. Yes, sir.

Senator GRAHAM. All of you are on record that Congress needs to address the growing cost of health care entitlements in the DOD budget. Are you willing to stand by me and others on this committee to go to our military family—and I say that fondly—that something has to give here?

General KELLY. Yes, sir.

General WELSH. I am, sir.

Senator GRAHAM. Thanks a bunch. I wish you all well.

Chairman LEVIN. You are returning the flag to its other location?

Senator GRAHAM. I am. I am going to depart.

Chairman LEVIN. Senator Graham, you and I are the only ones left. I am not going to ask any additional questions for a second round because I am going to have to leave. Are you okay?

Senator GRAHAM. I am okay.

Chairman LEVIN. We thank you. We thank your families. You are extraordinary leaders. Your families are there at your side, and we cannot tell you how much we admire you and them.

We are going to try to get these nominations acted upon as soon as humanly possible, and we look forward to your confirmations. Again, we thank you. We are very grateful to each of you and your families. We will stand adjourned.

[Whereupon, at 12:04 p.m., the committee adjourned.]

[Prepared questions submitted to Gen. Mark A. Welsh, III, USAF, by Chairman Levin prior to the hearing with answers supplied follow:]

## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also vastly improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. No. I completely agree with the goals of those defense reforms; they remain essential to the effective employment of our Nation's Armed Forces. Most importantly, they have yielded a demonstrated improvement in the joint warfighting capabilities of the U.S. military.

*Question.* If so, what areas do you believe it might be appropriate to address in these modifications?

Answer. I have no suggested modifications to the Goldwater-Nichols legislation. However, if confirmed, I look forward to the opportunity to assess Goldwater-Nichols from the vantage point of a Service Chief.

*Question.* Do you believe that the role of the Service Chiefs under the Goldwater-Nichols legislation is appropriate and the policies and processes in existence allow that role to be fulfilled?

Answer. Yes. Over the 2 plus decades since the passage of Goldwater-Nichols, "jointness" has been institutionalized in the Armed Forces of the United States. Service Chiefs have been integral to that success. Their roles and responsibilities remain critical to further progress. I believe Goldwater-Nichols appropriately establishes those roles and that existing policies and processes allow their fulfillment. If confirmed, I will be able to assess Goldwater-Nichols from the vantage point of a Service Chief for the first time. I'll also welcome the opportunity to share my thoughts and ideas with the committee as appropriate.

*Question.* Do you see a need for any change in those roles, with regard to the resource allocation process or otherwise?

Answer. No, although I'd like to reserve judgment until after I've experienced the resource allocation process from a Service Chief's perspective. If confirmed, I will welcome the opportunity to share my thoughts and ideas with the committee as appropriate.

RELATIONSHIPS

*Question.* Section 8033 of title 10, U.S.C., discusses the responsibilities and authority of the Chief of Staff of the Air Force. Section 151 of title 10, U.S.C., discusses the composition and functions of the Joint Chiefs of Staff, including the authority of the Chief of Staff of the Air Force, as a member of the Joint Chiefs of Staff, to submit advice and opinions to the President, the National Security Council, or the Secretary of Defense. Other sections of law and traditional practice, also establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Chief of Staff of the Air Force to the following officials:

The Secretary of Defense.

Answer. The Secretary of Defense serves as the principal assistant to the President on all Department of Defense (DOD) matters. Senior Air Force leadership operates subject to the authority, direction, and control of the Secretary of Defense. If confirmed as a Service Chief and member of the Joint Chiefs of Staff, I will work closely with the other members of the Joint Chiefs to provide the best possible military advice to the Secretary of Defense, particularly with regard to matters of air, space, and cyberspace operations, policy, and strategy.

*Question.* The Secretary of the Air Force.

Answer. The Chief of Staff of the Air Force is directly responsible to the Secretary of the Air Force and performs duties subject to his authority, direction, and control. For the Secretary of the Air Force, the Chief of Staff is responsible for providing properly organized, trained, and equipped forces to support the combatant commanders in their mission accomplishment. The Chief of Staff oversees members and organizations across the Air Force, advising the Secretary on plans and recommendations, and, acting as an agent of the Secretary, implementing plans upon approval. If confirmed as the Chief of Staff of the Air Force, I will work very closely with the Secretary to ensure our ability to rapidly provide forces tailored to meet the needs and objectives of our combatant commanders.

*Question.* The Under Secretary of the Air Force.

Answer. The Under Secretary of the Air Force is authorized, subject to the Secretary of the Air Force's direction and control, to act for and with the authority of the Secretary of the Air Force on all matters for which the Secretary is responsible; that is, to conduct the affairs of the Department of the Air Force. If confirmed, I will foster a close working relationship with the individual serving as the Under Secretary.

*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.

If confirmed, I will work with and through the Chairman in formulating military advice as a member of the Joint Chiefs of Staff by advising him on Air Force capabilities and our preparations to support the combatant commanders in the conduct of military operations. I look forward to performing the duties assigned by law to the Chief of Staff to provide properly organized, trained, and equipped forces as needed by the combatant commanders and to provide military advice on matters within my expertise, as required.

*Question.* The Vice Chairman of the Joint Chiefs of Staff.

Answer. The Vice Chairman has the same statutory authorities and obligations of other members of the Joint Chiefs of Staff. When performing duties as the Acting Chairman, the Vice Chairman's relationship with the combatant commanders is exactly the same as that of the Chairman. If confirmed, I will assist the Vice Chairman to execute the duties prescribed by law or otherwise directed by the Secretary of Defense or the Chairman of the Joint Chiefs of Staff.

*Question.* The Chiefs of the other Services.

Answer. If confirmed, I will work closely with the Chiefs of the other Services to capitalize on our individual strengths, complement our capabilities, and enhance mutually beneficial relationships as we carry out our responsibilities as members of the Joint Chiefs of Staff. My goal will be to work with each of them to enhance joint interoperability and other joint warfighting capabilities in order to provide the force mix desired by the combatant commanders

*Question.* The Commander, U.S. Transportation Command (TRANSCOM).

Answer. I am keenly aware of the importance of a strong close working relationship between TRANSCOM and the Air Force, its primary source of airlift. The Air Force remains a key contributor to TRANSCOM's success in meeting national military requirements. If confirmed, I will work to further enhance the Air Force's support to the Commander, TRANSCOM.

*Question.* The Commander, U.S. Strategic Command (STRATCOM).

Answer. A very close working relationship with the STRATCOM commander will be essential to identifying and implementing effective and enduring solutions to any issues with the Air Force's ability to support our Nation's nuclear deterrent capabilities. If confirmed, I will ensure the STRATCOM commander is constantly apprised on readiness of the Air Force air, space, and cyberspace forces required to support STRATCOM's missions. I will strive, in particular, to, keep a clear focus on Service efforts to maintain the highest standards of performance in the nuclear arena, as well as the intelligence, surveillance, and reconnaissance (ISR) mission and cyberspace mission areas.

*Question.* The other combatant commanders.

Answer. If confirmed as the Chief of Staff, I will work with the Secretary of the Air Force to ensure that the Air Force is properly organized, trained, and equipped to provide the capabilities the combatant commanders need to execute their missions. That requires a clear understanding of their requirements. I will personally engage in a forthright and direct dialogue with the combatant commanders to ensure that I do understand.

*Question.* The Assistant Secretary of the Air Force for Acquisition.

Answer. The Assistant Secretary of the Air Force for Acquisition serves as the Air Force's Senior Acquisition Executive. If confirmed, I will work closely with the Secretary of the Air Force and the Assistant Secretary on matters affecting the acquisition of the resources needed to train and equip the Air Force. I'll also ensure military expertise is readily available to assist them in accomplishing their acquisition-related responsibilities.

*Question.* The General Counsel of the Air Force.

Answer. The General Counsel (GC) is the senior civilian legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force. The GC serves as the chief ethics official. I have great respect for our current GC and the responsibilities and difficulties of his office. If confirmed, I look forward to developing an even stronger working relationship with the General Counsel and his staff.

*Question.* The Judge Advocate General of the Air Force.

Answer. The Judge Advocate General (TJAG) is the senior uniformed legal advisor to Air Force senior leaders and all officers and agencies of the Department of the Air Force and provides professional supervision to The Judge Advocate General's Corps in the performance of their duties. If confirmed, I look forward to continuing my strong working relationship with The Judge Advocate General and the TJAG staff.

*Question.* The Superintendent of the U.S. Air Force Academy.

Answer. I have a strong affinity for the U.S. Air Force Academy. It is a bedrock institution in the development of tomorrow's Air Force leaders. If confirmed, I will work closely with the Superintendent to address issues faced by the Academy and

to promote the Academy's sustained commitment to excellence and fulfillment of its very important character building mission.

DUTIES

*Question.* What is your understanding of the duties and functions of the Chief of Staff of the Air Force?

Answer. The Chief of Staff of the Air Force fulfills a number of duties and functions. As a member of the Joint Chiefs of Staff, he serves as a military advisor to the President, the National Security Council, and the Secretary of Defense. The Chief of Staff is also subject to the authority, direction, and control of the Secretary of the Air Force, providing plans and recommendations to the Secretary, implementing policy, and overseeing the Air Staff and other members and organizations of the Air Force. He is a principal advisor to the Secretary. Working for and through the Secretary of the Air Force, the Chief of Staff is responsible for providing properly organized, trained, and equipped forces to support the combatant commanders' accomplishment of their missions.

*Question.* Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Air Force would prescribe for you?

Answer. If confirmed as the Chief of Staff of the Air Force, I would expect the Secretary of the Air Force to assign me duties consistent with the responsibilities outlined above to ensure that the Air Force is appropriately organized, trained, and equipped to meet its institutional obligations and force provider responsibilities.

*Question.* What changes, if any, would you recommend to section 8034 of title 10, U.S.C., relating to the Air Staff and its composition and functions?

Answer. None, although I may have a different view after I have observed Air Staff performance and am able to make an assessment from the vantage point of a Service Chief.

*Question.* What do you believe are your qualifications to assume this office?

Answer. During my 36 years on Active Duty in the Air Force, I have served in a range of positions and have enjoyed a variety of opportunities and experiences which have helped prepare me to fulfill the duties and responsibilities commensurate with appointment as the Air Force Chief of Staff. Throughout my tenure in the Air Force, I have been privileged to serve with and learn from a host of exceptional service men and women, including members of our sister Services, many in joint positions of trust and leadership.

Prior to my current assignment, I served in positions that involved direct and routine contact with the Secretary of Defense, Chairman of the Joint Chiefs of Staff, combatant commanders, other Service Chiefs, Directors of DOD Agencies and Heads of non-DOD Federal agencies on an array of major issues confronting our Nation and our military. My past assignments at the USAF Academy and Air Education and Training Command allowed me to better understand, confront, and resolve the challenges facing our service in the areas of education and training.

Most recently, as the U.S. Air Forces in Europe (USAFE) Commander, and Commander NATO Air Component Command, Ramstein, I've been on both the "giving" and the "receiving" ends of the efforts of Air Force leaders to organize, train, and equip the great men and women of our Air Force. This position gave me a broad leadership perspective on the interaction of DOD, the combatant commands, and our Services in executing our National Military Strategy. It also helped me better understand the critical partnerships with European and African Air Forces, U.S. components to both U.S. European Command and U.S. Africa Command, and our NATO and European partners. These experiences and perspectives will be invaluable if I am confirmed to serve as Chief of Staff.

*Question.* Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Chief of Staff of the Air Force?

Answer. If confirmed as the Chief of Staff, I will work closely with the Secretary of the Air Force to identify, assess, and address all challenges. I will ensure the readiness and relevance of our Air Force along with the safety and well-being of our people.

MAJOR CHALLENGES AND PROBLEMS

*Question.* In your view, what are the major challenges that will confront the Chief of Staff of the Air Force?

Answer. The next Chief of Staff must lead the world's finest Air Force, ensuring it is properly organized, trained, and equipped in order to provide for our Nation's defense, winning today's fight, and preparing our force for an uncertain security environment. One of the major challenges is to do this while playing our part in helping to reduce our Nation's financial deficit.

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

Answer. If confirmed, I will immediately focus on continuing to recruit the very best people we can and giving our airmen the best training in the world. We must also continue modernization efforts so that our force is equipped to meet the challenges of today and of the future.

*Question.* What do you consider to be the most serious problems in the performance of the functions of the Chief of Staff of the Air Force?

Answer. The most serious problem facing our Service is the ability to properly balance our force in a fiscally constrained environment while keeping our critical core capabilities in order to provide the global vigilance, global reach, and global power required by our joint teammates as well as for the American people.

*Question.* If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I will prioritize and focus on these concerns and develop solutions along with our joint and other partners to ensure we are a ready and capable force.

PRIORITIES

*Question.* If confirmed, what broad priorities will you establish?

Answer. My priorities are: (1) continuing to strengthen the nuclear enterprise; (2) partnering with the joint and coalition team to win today's fight; (3) developing and caring for our airmen and their families; (4) modernizing our air, space, and cyberspace inventories, organizations, and training; and (5) recapturing acquisition excellence. If confirmed, my emphasis will be to provide global vigilance, global reach, and global power to the Nation through America's innovative airmen.

PERSONNEL AND ENTITLEMENT COSTS

*Question.* The cost of personnel, including health care, compensation, and retirement continues its steep upward growth and is becoming an ever increasing portion of the DOD budget.

If confirmed, what actions would you take to control the rise in the Air Force's personnel costs?

Answer. Military compensation is, and must remain, highly competitive to sustain the recruitment and retention of high caliber men and women to meet readiness requirements and accomplish our national security mission. If confirmed, I will remain committed to this goal. However, in light of the current economic crisis and overall reductions in defense spending, we must look at balancing personnel costs to avoid reductions to force structure and modernization efforts critical to support the warfighter and the defense of our Nation. I look at management of our force structure as being a key element in controlling our personnel costs. If confirmed, I will ensure that the Air Force continues to make difficult, but fiscally responsible decisions to implement force management programs that allow us to remain at authorized end strength levels. Additionally, I will pursue legislative and policy changes needed to ensure that the Air Force is able to operate as a Total Force with the most effective use of resources.

UNIFIED MEDICAL COMMAND

*Question.* The Government Accountability Office found in its 2011 report on "Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue," that the Department could save between $281 million and $460 million annually by realigning DOD's military medical command structures. The Committee is aware that, in spite of the growing cost of health care within the Department, the Air Force has historically objected to the establishment of a unified medical command.

What is your understanding of the reasons for the Air Force position on the Unified Medical Command?

Answer. From my understanding of the recommendations by the Military Health System Task Force, comprised of leaders from the Office of the Secretary of Defense (OSD), JCS and the Services, a Unified Medical Command will not streamline operations, achieve cost savings, improve synergy, or improve patient outcomes.

A Unified Medical Command will require very expensive new systems and organizational structures to oversee a new combatant command headquarters and new subordinate commands. Some worry that a Unified Medical Command may not be as responsive to the needs of Service warfighters as is the current oversight by the Services, which already provide the best care with the highest survival rate in the history of warfare.

I believe the Services should continue to integrate common medical platforms with the goal to reduce redundancy and lower costs. The Air Force fully supports the establishment of the Defense Health Agency as directed by the Deputy Secretary of Defense. This effort will consolidate oversight of common support functions (facilities planning, contracting, logistics, and research and development) in the new collocated medical headquarters. Adoption of a single Service accounting system to allocate Defense Health Program dollars and improve accountability would do more to reduce costs than a Unified Medical Command.

*Question.* If confirmed, how would you evaluate proposals and options for improving efficiency of the military health care system that involve consolidation of common functions, including command functions?

Answer. If confirmed, I will support Deputy Secretary of Defense Carter's initiative to improve efficiency. I know our Air Force Surgeon General is actively engaged in this planning effort to help identify the organizational structures, services, and business processes to establish all elements of a Defense Health Agency, and to provide specific recommendations on activities managed under shared services constructs.

*Question.* Should readiness as well as costs be a factor in such evaluation, and if so, how would readiness metrics be applied?

Answer. I believe the top two criteria used by the Military Health System Task Force evaluation focused on medically-ready forces, and a trained and ready deployable medical force. These two criteria aggregated to 65 percent of the total "weight", and these criteria were at the forefront of all Service deliberations. Based on these readiness weighted criteria, the Air Force is confident that the recommendations appropriately considered readiness.

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE

*Question.* The airborne ISR assets developed and operated by the Air Force form an indispensable part of the Nation's overall intelligence architecture. These assets are often referred to as high demand, low density systems because of the extensive number of requirements and high operational tempo on their systems and crews. This year, we also see the Air Force trying to divest itself of the Global Hawk Block 30 aircraft, a system that the Air Force has been using to meet high altitude ISR demands.

In your view, will the Air Force have sufficient airborne ISR assets even after the removal of the Global Hawk Block 30 aircraft to meet current and projected requirements?

Answer. As the Air Force continues to leverage our entire ISR enterprise to meet combatant commander requirements, the current requirement for high-altitude ISR is being satisfied with the Air Force's fleet of 27 U–2 aircraft and its advanced multi-intelligence sensors. Today, we operate 57 medium altitude remotely piloted aircraft (RPA) combat air patrols (CAPs) and are posturing our ISR enterprise to support 65 CAPs. We are currently undergoing sustainment and modernization efforts on our Joint Surveillance and Target Attack Radar System (JSTARS) aircraft and upgrading the RC–135 to provide a direct link into our global distributed common ground station network. This full complement of efforts will ensure the Air Force meets its current and projected requirements despite the planned divestment of Global Hawk Block 30.

*Question.* What changes would you recommend, if confirmed, to current plans for the development and acquisition of airborne ISR platforms?

Answer. The Air Force's fiscal year 2013 budget expands our RPA fleet, improves our U–2 capabilities, continues the MC–12, and upgrades the RC–135 and JSTARS. We will continue to improve and mature capability-based planning and analysis across the Air Force ISR enterprise to ensure a balanced mix of platforms, sensors, and analysis. We must continue to improve our ability to utilize data across all domains (air, space, and cyberspace) in all operating environments. If confirmed, I will ensure that the Air Force continues to review long-term intelligence information requirements to guide future capability development.

*Question.* Will these changes remove ISR platforms from the "high demand, low density" category?

Answer. The Air Force is sizing the force to account for combatant commander requirements, to include high- and medium-altitude airborne capabilities, as well as processing, exploitation, and dissemination capabilities (which are a cornerstone of the overall capability). We will continue to develop all domain capabilities in order to meet the needs of our combatant commanders and our national leadership. We can only affect the "density", not the "demand".

*Question.* Former Secretary Gates publicly complained that the Air Force had not put sufficiently high priority on fielding unmanned aerial vehicles (UAV) to provide ISR support for the forces operating in Iraq and Afghanistan. General Schwartz took a number of steps to address that issue.

If confirmed, what steps would you take to ensure that the Air Force continues to provide greater priority to providing ISR support of field operations?

Answer. The Air Force places high priority on ISR support to combatant command operations. The Air Force increased the number of medium altitude RPA CAPs, deployed the MC–12 Project Liberty in record time, and deployed Blue Devil I, a first of its kind multi-source intelligence (multi-INT) platform. In addition, we developed advanced sensors, such as Gorgon Stare and Airborne Cueing and Exploitation System Hyperspectral, to meet requirements in Afghanistan. We will continue to improve and grow ISR capabilities as required. If confirmed, I will also ensure that lessons learned and practical experience inform our science and technology investment, as well as research, development, and acquisition programs.

*Question.* Due to insufficient ISR capacity provided by the Air Force, the combatant commands have frequently turned to expensive contracted airborne ISR solutions to meet their most pressing and immediate needs.

Do you believe additional growth in Air Force ISR capacity should take into account combatant command ISR requirements that are currently being met through contracted services?

Answer. ISR requirements and current shortfalls should and do account for combatant command requirements while considering additional growth in ISR capacity. The Air Force adheres to a rigorous planning, programming, budgeting, and execution process to ensure our ability to the meet the highest priority mission requirements in a fiscally constrained environment. That said, the Air Force is well postured to address many ISR shortfalls identified by the combatant commands, but the solutions need to be considered in a joint context. While the Air Force has incredible capability, we need to ensure that the Nation is fully utilizing the investment all of the Services have made, particularly with respect to ISR. As we begin to draw down forces in Afghanistan, we will begin to shift assets and personnel currently engaged in the Central Command area of responsibility to other combatant commands in accordance with the priorities set forth within the Global Force Management Allocation Plan (GFMAP).

*Question.* Do you believe it is appropriate for combatant commanders to contract for some portion of their airborne ISR requirements?

Answer. Air Force ISR is "all in" in its support of the combatant commands subject to the allocation and apportionment decisions through the GFMAP process. The demand for ISR exceeds our current capacities, and with shrinking defense budgets, this shortfall will likely continue for the foreseeable future. With that in mind, I believe it is the combatant commander's prerogative to address any shortfalls with the means at his disposal within applicable legal and operational constraints.

*Question.* Making effective use of ISR data requires sufficient processing, exploitation, and dissemination (PED) capabilities. Currently, much of this PED capability is provided by contractors.

Do you believe the Air Force should develop additional "in-house" PED capabilities to reduce its reliance on contractors?

Answer. In response to the rapid increase of intelligence data received from ISR platforms since 2001, the Air Force has added an additional 2,158 billets to its Distributed Common Ground System (DCGS) enterprise in the last 3 years. This increase will ensure our ability to maintain and increase our PED obligations to the combatant commanders as their operational requirements ebb and flow in current and future engagements. The Air Force is also adding analytical tools that help in processing vast volumes of information as another way to help meet the demand. However, the increased billets within the DCGS enterprise will likely have little to no effect on the reliance on contractors currently supporting operations in Afghanistan, as the global demand will continue to outstrip supply. If confirmed, I will ensure we continue to support warfighter requirements in the most cost effective way possible.

SPECIAL OPERATIONS ENABLING CAPABILITIES

*Question.* The Commander of U.S. Special Operations Command (SOCOM) has highlighted the critical nature of Service-provided Combat Support and Combat Service Support enabling capabilities to the activities of Special Operations Forces.

If confirmed, how would you ensure appropriate Air Force enabling capabilities for special operations are maintained, especially in light of increasing budget pressures?

Answer. If confirmed, I will ensure the Air Force remains committed to providing the appropriate support to all combatant commands, including SOCOM. The Air Force is prioritizing readiness over force structure to avoid a hollow force. We are also leveraging Total Force contributions to operations plans (OPLAN) and contingencies by building an appropriate and sustainable Active/Reserve component force mix. We have also prioritized and increased our capability to execute and support irregular warfare, which will provide essential support to Special Operations Forces for the foreseeable future.

*Question.* If confirmed, how would you ensure the availability of such enabling capabilities is synchronized with the training and deployment cycles of Special Operations Forces?

Answer. First and foremost, we will continue to work closely with SOCOM and its Special Operations Force Generation model. We are exploring a new expeditionary construct for the Air Force which streamlines presentation of our Total Force team—Active, Guard, and Reserve—with inputs from all major commands. The new teaming construct will synchronize appropriate training and deployment of Air Force Special Operations Forces in order to meet global requirements now and in the future.

SPECIAL OPERATIONS PERSONNEL MANAGEMENT

*Question.* Some have argued that the Commander of U.S. Special Operations Command (SOCOM) should have greater influence on special operations personnel management issues including assignment, promotion, compensation, and retention of Special Operations Forces. One proposal would modify section 167 of title 10, U.S.C., to change the role of the SOCOM Commander from "monitoring" the readiness of special operations personnel to "coordinating" with the Services on personnel and manpower management policies that directly affect Special Operations Forces.

What is your view of this proposal?

Answer. It is clearly in our best interest to have very robust and capable Special Operations Forces. In the Air Force's role to organize, train, and equip our forces, we must make sure that our efforts synchronize with SOCOM and that we have a coordinated approach to providing forces. DODD 5100.01, Functions of Department of Defense and Its Major Components, ensures we do this. Further, the Air Force established an agreement with SOCOM to comply with the current directive by coordinating personnel management policy and plans with SOCOM.

INDEPENDENCE OF THE JUDGE ADVOCATE GENERAL

*Question.* What are your views about the responsibility of the Judge Advocate General of the Air Force to provide independent legal advice to the Chief of Staff and the Air Staff, particularly in the areas of military justice and operational law?

Answer. I believe it is critical for the Chief of Staff to receive independent legal advice from his senior uniformed judge advocate. Our senior uniformed lawyers bring a wealth of experience and perspective shaped by years of working with commanders in the field. The Judge Advocate General's ability to provide independent legal advice is statutorily guaranteed and vitally important to Air Force senior leader decisionmaking. Generally, I believe senior leaders are better informed to make the best decisions when they are aware of both The Judge Advocate General's advice and the advice of the Air Force General Counsel.

*Question.* What are your views about the responsibility of staff judge advocates throughout the Air Force to provide independent legal advice to military commanders in the field and throughout the Air Force establishment?

Answer. Staff judge advocates (SJAs) are essential to the proper functioning of both operational and support missions. SJAs have a major responsibility to promote the interests of a command by providing relevant, timely, and independent advice to commanders, and this independence is reflected in statute (title 10 U.S.C. § 8037(f)(2)). Convening authorities are required by statute (title 10 U.S.C. § 806) to communicate with their SJAs on issues related to military justice matters, which is critical to disciplined mission execution. In addition, commanders and other leaders rely on their staff judge advocates for advice on all types of legal and policy matters. SJAs offer legal advice independent of any particular agenda. I believe it is very important for commanders to continue to receive uniformed legal advice.

AIR FORCE FUTURE TOTAL FORCE PLANNING

*Question.* Historically, the Air Force has been credited for having a very good relationship with its Reserve components and relying more heavily on the Air National Guard and Air Force Reserve than the other Military Departments. With the presentation of the Air Force's fiscal year 2013 proposals for making force structure re-

ductions, however, the Air Force appears to have decided against relying as much on the Air National Guard to provide tactical fighters and airlift capability.

What criteria should we use in assessing the proper mix of Active Air Force, Air National Guard, and Air Force Reserve in planning for our future force structure?

Answer. The first and most important criterion must be the ability of the Total Force to generate the capabilities needed to meet the demands of combatant commanders in executing the National Defense Strategy during all phases of operations, from shaping the strategic environment in phase zero to rebuilding the peace in phase five. The second criterion is the ability to sustain the force, including readiness, training, overseas presence, and the symbiotic manpower relationships between the Active and Reserve components. The next criterion is cost. As good stewards of our Nation's resources, we must accomplish our missions in the most effective and efficient manner possible. Finally, all of the criteria above must be evaluated to understand and characterize the risk associated with each Air Force core function. The members of the Active Duty Air Force, Air Force Reserve, and Air National Guard are teammates and remain critical partners as we move forward as a Total Force.

*Question.* Do you agree with the fiscal year 2013 budget proposal to cut proportionally deeper in the Air National Guard, as compared to personnel reductions proposed for the Active Air Force or Air Force Reserve?

Answer. I believe the fiscal year 2013 Presidential budget proposal seeks to provide the best alternatives for the Total Force in order to generate the capabilities needed to meet the demands of the National Defense Strategy and the combatant commanders during all phases of operations, from shaping the strategic environment in phase zero to rebuilding the peace in phase five. While some may see the choices the Air Force made in the fiscal year 2013 budget proposal through a different lens, I believe this proposal would effectively support the National Defense Strategy. The Air National Guard and the Air Force Reserve are valued members of our Total Air Force team. I fully recognize the significance of the Air National Guard's contributions to our Nation and our States. If confirmed, I will continue to explore combat ready options that meet the needs of our combatant commanders and preserve domestic response capabilities.

*Question.* Part of the rationale apparently comes from the perceived need to support peacetime rotations to overseas bases such as those in Europe.

Why shouldn't we consider making more substantial reductions in Air Force force structure in Europe, particularly in view of the shift in strategy toward the Asia/Pacific arena?

Answer. The global force posture requirements are established by strategy and the needs of the combatant commanders and we strive to meet those needs. In the case of Europe, given my current position as the USAFE Commander, this is a question that I have wrestled with often. Our current Air Force presence in Europe is a very small fraction of what existed during the Cold War. Assuming the fiscal year 2013 budget actions are carried out, our conventional warfighting forces in Europe will consist of only six fighter squadrons, one tactical airlift squadron, a rescue helicopter squadron, and one tanker squadron. Those fighters also are responsible for fulfilling other commitments to the NATO alliance. This region is home to some of our most reliable allies and borders many of the world's trouble spots in the Middle East, Central Asia, and Africa. Maintaining interoperability through joint training with our allies, operational basing structure, and forward presence for deterrence and quick response is vital to our national interest.

Having said that, I believe we should consider reductions and consolidation opportunities in Europe. I think that planning must begin with a careful assessment of the enduring missions in Europe . . . those things that the Nation will expect us to be able to do regardless of the scenario that develops in the Middle East, the Levant, or elsewhere in Europe or Africa. The facilities and infrastructure required to support those enduring missions should also be considered enduring. We should focus our reduction and consolidation efforts on the force structure and facilities that remain. Our planning for those should be driven by logic, not emotion. It should be shaped by which options our national leadership believes need to be available for rapid response to emerging crises or events (e.g., opposed Non-Combatant Evacuation Operations in the Levant or Africa) and the timeframe in which they would need to be able to execute them. Knowing those two things would allow the Air Force to present proposed adjustments to European force structure and facilities in a reasoned, operationally sound way to allow an objective discussion informed by operational, fiscal, and partner perspectives.

AIR FORCE END STRENGTH

*Question.* In the context of the National Defense Authorization Act (NDAA) for Fiscal Year 2013, both the House-passed bill and the Senate Armed Services Committee reported bill would restore certain Air Force Reserve component force structure that the Air Force and the Department had proposed to cut. General Schwartz has urged Congress to provide the personnel and resources necessary to man and equip force structure retained in excess of the budget proposal, and both bills attempt to do so.

What is your assessment of the level of personnel and funding needed to fully man and equip force structure restorations in the House and Senate Committee bills?

Answer. The Air Force will require $8.7 billion across the Future Years Defense Program (FYDP) to fully fund the restoration of 286 aircraft. In addition to funding, the Air Force would require the restoration of approximately 9,900 manpower authorizations. This would fund the operations, sustainment, and manpower to man and operate these weapons systems.

If such funding is not provided, and Congress requires us to keep force structure in excess of the fiscal year 2013 PB proposal, we will inevitably see a loss of readiness, or fail to sustain key modernization needed to deal with future challenges and recapitalize our older-than-desired aircraft.

INDIVIDUAL READY RESERVE

*Question.* The Commission on the National Guard and Reserves has found that accessing the IRR as a viable source of manpower for the war was problematic, and that using the IRR as a solution for unit manning is a failed concept.

What is your assessment of the value of the IRR to the All-Volunteer Force?

Answer. The Individual Ready Reserve (IRR) is a valuable source of airmen who are subject to recall to Active Duty in time of war or national emergency. Airmen who are members of the IRR are required to participate in an annual screening for mobilization readiness and the Air Force catalogs their military and civilian skills for possible employment during mobilization.

Although mobilization access on a wide spectrum could be problematic, if the Air Force needs to access a very specialized career field, the IRR provides a reach back capability to access trained airmen to augment our Active component when necessary.

TRANSFORMATION

*Question.* If confirmed, you would play an important role in the process of transforming the Air Force to meet new and emerging threats.

What do you believe should be the goals for Air Force transformation?

Answer. Confronted by DOD's new fiscal reality, the Air Force made hard choices to align with the new strategic guidance. As we move forward, we must avoid creating a hollow force that is unable to execute the missions entrusted to it. We must also keep faith with the airmen who carry out our Nation's business, sometimes at great cost to themselves and their families. Though we will be a smaller force, our goal is to remain the world's premier air, space, and cyberspace force. We must maintain the agility, flexibility, and readiness required to engage a full range of contingencies and threats.

We will continue to provide our nuclear deterrent forces as two-thirds of the Nation's nuclear triad, competently and credibly providing the foundation of global stability and underwriting our national security, maintaining our alliance and treaty obligations, and assuring our allies and partner nations as part of a joint team. Our Air Force must be able to gain control in the air and space, and maintain assured access to cyberspace. We provide unique capabilities in mobility, strike, and ISR which enable joint and multinational forces to conduct operations, and permit surface forces freedom of action without the threat of attack from above. Significant and sustained modernization of ISR and the long-range strike family of systems will extend today's ISR and power projection capabilities into contested battle spaces.

It is imperative the Air Force maintain the air and space power advantages that will enable our entire Joint Force to deter and defeat aggression, operate effectively in space and cyberspace, defend the homeland, and conduct stability operations. If confirmed, I will ensure we continue to provide the Nation with global vigilance, global reach, and global power employable across the spectrum of operations with which we are tasked.

SEXUAL ASSAULT PREVENTION AND RESPONSE

*Question.* Numerous cases of sexual assault involving servicemembers in theater have been reported over the last several years. Many victims and their advocates contend that they were victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate military treatment. Meanwhile, Secretary Panetta has announced several new initiatives aimed at curbing sexual assaults in the military and improving victim support.

What is your assessment of the Air Force's implementation of the Secretary's new policies, including his decision to withhold initial disposition authority over certain crimes to the general court-martial convening authority?

Answer. The Air Force appreciates the Secretary of Defense's leadership and supports his decision. Withholding the initial disposition authority at the Special Court Martial Convening authority level reassures airmen that we are taking the issue of sexual assault very seriously.

*Question.* What is your understanding of the resources and programs the Air Force has in place in deployed locations to offer victims of sexual assaults the medical, psychological, and legal help that they need?

Answer. In areas of operation, Air Force Military Treatment Facilities (MTFs) have the appropriate resources to offer support to sexual assault victims. Air Force Central Command ensures that trained primary and alternate providers are available, or that Memorandums of Understanding are in place to provide appropriate sexual assault medical service. Additionally, Air Force forward deployed mental health assets are available to provide necessary consultation, assessment, intervention, and referral for mental health issues, to include support in cases of sexual assault.

The Air Force has also forward deployed judge advocates to provide complete legal support to the Air Force and joint missions. Coupled with a dynamic reach back capability, this ensures robust, full-spectrum legal services are available to commanders and airmen. Legal services available to victims at their home station are equally fully available to victims in deployed locations, to include legal assistance, defense services, victim witness assistance, or other legal needs.

*Question.* What is your view of the steps the Air Force has taken to prevent additional sexual assaults at deployed locations as well as at home stations?

Answer. In the Air Force, the majority of the reported sexual assaults occur at home station and not at deployed locations. However, prevention efforts apply equally at both locations. For the last 2 years, the Air Force has focused on bystander intervention as a prime prevention effort. We've provided mandatory training in this area and our airmen know and it is their responsibility to intervene when they recognize a potentially unsafe situation. We simply must provide our airmen a climate of dignity and respect and create an environment where trust and accountability are ever present. This will help victims feel comfortable coming forward and ensure perpetrators of this vicious crime know they will be held accountable.

*Question.* What is your view of the adequacy of the training and resources the Air Force has in place to investigate and respond to allegations of sexual assault?

Answer. Air Force installation level Sexual Assault Response and Prevention Coordinators (SARCs) and Victim Advocates (VAs) receive extensive initial training before assuming their positions. Additionally, both SARCs and VAs receive annual refresher training.

All Air Force Office of Special Investigations (AFOSI) special agents receive extensive training in the handling of violent crime investigations, including specific handling of sexual assault investigations. In 2009, the Air Force funded 24 additional civilian special agents to focus on sexual offenses at locations with the highest incidence of sexual assault. AFOSI also recently developed a 2-week advanced training course, dedicated exclusively to sexual assault investigations.

The Judge Advocate General is fully committed to aggressively addressing allegations of sexual assault and ensuring that commanders, victims, and accused airmen are appropriately advised on the legal issues. The Air Force is committed to training prosecutors and defense counsel to the highest standards. Base staff judge advocates work closely with the AFOSI special agents to ensure comprehensive investigations. Through the Senior Trial Counsel (STC) program, 16 highly trained and experienced trial counsel assist base legal offices in all aspects of evaluating and preparing sexual assault cases and are detailed to represent the United States as the prosecutor in these cases. Seven of these STCs are dedicated to specializing in prosecution of sexual assault cases. Senior defense counsels provide assistance to local defense counsel and representation of accused airmen at trial. The Judge Advocate General believes that fully training and equipping both the prosecution and defense in these

cases offers the best hope of optimal fact finding and professionalism in adjudicating sexual assault cases.

*Question.* Do you consider the Air Force's current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. Current Air Force policies and procedures, particularly those on restricted reporting, are effective, available both at home and in deployed locations, and do more than allow victims confidential access to medical care. When coupled with the new victim to victim advocate privilege, the policies address many of the concerns victims have about coming forward and help protect the victims' confidentiality. The policies preserve the possibility of future prosecution by allowing victims to anonymously receive Sexual Assault Forensic Examinations (SAFEs), which are held for 5 years. Victims may convert their confidential restricted report at any time and participate in the military justice process. Restricted reporting allows for the preservation of evidence that would otherwise be unavailable and the Air Force is able to offer victims care and treatment that victims may have not accessed without this confidential option.

*Question.* What problems, if any, are you aware of in the manner in which the confidential reporting procedures have been put into effect?

Answer. Sexual assault victims who seek medical care or SAFEs in some States (i.e., California) cannot make a restricted report because State laws mandate reporting to law enforcement by healthcare providers. This limitation creates a "have and have not" reporting situation amongst military victims.

*Question.* What is your view of the appropriate role for senior military and civilian leaders in the Secretariat and the Air staff in overseeing the effectiveness of implementation of new policies relating to sexual assault?

Answer. Senior military and civilian leaders at all levels, beginning at the Secretariat and the Air Staff, must focus on promoting an environment that prevents sexual assault. Eliminating this horrible crime is absolutely critical. The Secretary of the Air Force directed a Sexual Assault Prevention and Response Executive Steering Group (ESG) comprised of all the senior functional stakeholders to continually assess the program and provide advice for improvements in policy and procedures. If confirmed, I will work with the Secretary and these leaders to maintain a very clear focus on this issue.

FAMILY SUPPORT

*Question.* What do you consider to be the most important family readiness issues in the Air Force, and, if confirmed, what role would you play to ensure that family readiness needs are addressed and adequately resourced?

Answer. The ones I hear most from my airmen and their family members are financial management, predatory lending, relocation and transition assistance, child care availability, access to quality education, the Exceptional Family Member Program (EFMP), and manpower and staffing for our family programs.

If confirmed, I plan to ensure sufficient staffing and training for family readiness staff as we partner with community organizations to continue building support for our airmen and their families. My wife and I have spent a lot of time on family readiness issues in my current job; we will continue to do so wherever we serve.

*Question.* How would you address these family readiness needs in light of global rebasing and lengthy deployments?

Answer. If confirmed, I will continue to strengthen the programs that the Air Force has established to support airmen and their families. They include the Airman and Family Readiness Center programs, Key Spouse programs, and various child and youth programs.

Our Airman and Family Readiness Centers serve as a resource hub for our military families. From the beginning of every deployment, the Airman & Family Readiness Center is in contact with dependents to ensure they are aware of all available resources.

Key Spouses become crucial partners as they keep families aware of unit and community support events through the deployment. Child and Youth Program Directors work to ensure organized programs, resources and a "sympathetic ear" are available to our children as they work through the multi-faceted issues associated with separation from a deployed parent.

*Question.* If confirmed, how would you ensure support of Reserve component families related to mobilization, deployment and family readiness, as well as active-duty families who do not reside near a military installation?

Answer. Our relationship with the Reserve component in this area has developed over the years, but I believe it needs to be stronger. The Air Force provides resources and support to all components through various Airman & Family and Child

& Youth programs. These support programs are sustained through continued collaboration with the State Joint Base Board and other services.

Geographically separate servicemembers (and their families) have immediate access to many resources online that enable them to remain connected to their units and support services. If confirmed, my intent is to empower our Services professionals to develop new and innovative ways for deployed airmen and their families to connect with the support infrastructure they need, and with each other. I've been there . . . it makes a difference.

MORALE, WELFARE, AND RECREATION

*Question.* Morale, Welfare, and Recreation (MWR) programs are critical to enhancement of military life for members and their families, especially in light of frequent and lengthy deployments. These programs must be relevant and attractive to all eligible users, including Active Duty and Reserve personnel, and their eligible family members.

What challenges do you foresee in sustaining and enhancing Air Force MWR programs and, if confirmed, what improvements would you seek to achieve?

Answer. Our MWR program exists to provide Quality of Life (QOL) programs and services to our airmen and their family members. We recognize, particularly in light of frequent and lengthy deployments, the correlation between QOL, readiness, and resilience.

Our top priority is to develop and care for our airmen. I don't foresee any change to that focus. Our MWR programs are currently undergoing an enterprise-wide transformation to right-size and ensure currency and relevancy for our airmen and their families.

Without a doubt, MWR programs and services for all airmen and their families are critical to Air Force readiness and mission capability. As we advance MWR transformation, I will advocate that we continuously seek partnership opportunities with local communities to help ensure we provide the best support possible for our team while embracing efficiencies and innovative ways of doing business.

If confirmed, I will fully support the ongoing MWR transformation efforts which are a model of innovation, efficiency, and resource stewardship, geared toward meeting the needs of our airmen and families now and in the future.

MEDICAL PERSONNEL RECRUITING AND RETENTION

*Question.* The Military Services continue to face significant shortages in critically needed medical personnel in both Active and Reserve components.

What is your understanding of the most significant personnel challenges in recruiting and retaining health professionals in the Air Force?

Answer. The most significant challenges we have in recruiting and retaining health professionals continues to be competition with the private sector and other Federal agencies for talented professionals from career fields where shortages exist. Adding to this challenge are issues such as pay disparity with the civilian sector and deployments. Some examples of career fields where we face such competition are general surgeons, family medicine, mental health, and nursing.

The Air Force addresses these challenges in a three-pronged approach to enhance: (1) education, (2) compensation, and (3) quality of practice/quality of life. Regarding education, the Air Force Medical Service depends on programs like the Uniformed Services University of the Health Sciences, Health Professions Scholarship Program, Inter-Service Physician Assistant Program, and the Nurse Enlisted Commissioning Program to grow health professionals. Special pay and incentives are used to help offset some of the pay disparities between military and civilian sector compensation packages. In terms of quality of practice, many of our specialists have been at the forefront of medical innovation in the last decade of war as they cared for wounded warriors. Many health care professionals enjoy taking care of the population who volunteer to serve this Nation. These individuals self-select to stay in beyond their education commitments.

*Question.* If confirmed, would you undertake a comprehensive review of the medical support requirements for the Air Force?

Answer. As readiness requirements for our warfighters evolve, so will the need for medical support. Our healthcare team provides superb care, as proven in our most recent operations, and we have the responsibility to provide the highest quality of care for the future. If confirmed, I will continue to review our support requirements to ensure our Air Force provides a ready and clinically superb deployable force.

*Question.* If confirmed, what policies or legislative initiatives, if any, are necessary in order to ensure that the Air Force can continue to fulfill ongoing medical support requirements?

Answer. The Air Force Medical Service partners with other Air Force and DOD stakeholders to optimize the use of monetary incentives and educational and developmental opportunities for our health profession officers. Continuing to provide sufficient resourcing for education, training, and special and incentive pay is critical to fulfilling ongoing medical support requirements. If confirmed, I will fully support ongoing medical support requirements by encouraging the policies that provide for these partnerships and programs.

AIR FORCE POLICIES REGARDING DRUG AND ALCOHOL ABUSE

*Question.* What is your understanding of the Air Force's policy with respect to disciplinary action and administrative separation of airmen who have been determined to have used illegal drugs?

Answer. The Air Force does not have any policy per se on disciplinary actions with respect to particular criminal offenses. However, I know each drug case is investigated by law enforcement personnel and the report of investigation is provided to the airman's commander to review the evidence for appropriate disposition. Each case is evaluated on its merits, including the type of illegal drug used, the facts and circumstances of the use or uses, the military record of the airman, and the strength of the evidence.

The Air Force has a policy on administrative separation for illegal drug use found in our administrative separation instruction. It states that drug abuse is incompatible with military service and airmen who abuse drugs one or more times are subject to administrative separation for misconduct. In fact, administrative separation processing is mandatory for drug abuse unless a waiver is granted.

*Question.* Do you agree with this policy?

Answer. Yes, I do. I believe it works well for our Service. The Air Force takes illegal drug use very seriously due to the nature of our business—we have no margin for error as we maintain and operate aircraft, spacecraft, and key components of our Nation's nuclear arsenal.

*Question.* What is your understanding of the Air Force's policy with respect to rehabilitation and retention on Active Duty of airmen who have been determined to have used illegal drugs or abused alcohol or prescription drugs?

Answer. Only in very limited circumstances does the Air Force retain airmen who we determine have used illegal drugs, including illegal use of prescription drugs. In order to be retained, airmen have the burden of proving that retention is warranted by meeting a number of criteria, to include such drug use was a departure from the airman's usual behavior and is not likely to recur, does not involve recurring incidents, and does not involve distribution.

The Air Force does have a robust Alcohol and Drug Abuse Prevention and Treatment (ADAPT) Program. The primary objectives of the ADAPT Program are to promote readiness, health, and wellness through the prevention and treatment of substance misuse and abuse; to minimize the negative consequences of substance misuse and abuse to the individual, family, and organization; to provide comprehensive education and treatment to individuals who experience problems attributed to substance misuse or abuse; to restore function and return identified substance abusers to unrestricted duty status or to assist them in their transition to civilian life, as appropriate. The Air Force provides appropriate treatment for airmen who are undergoing disciplinary or administrative separation proceedings for drug or alcohol abuse.

The Air Force does provide some limited protection for airmen who self-identify their drug use for the purpose of seeking treatment in that they may avoid criminal prosecution, but will still face administrative separation.

*Question.* Do you agree with this policy?

Answer. Yes. I think we have struck an appropriate balance between rehabilitation and retention and the need to enforce good order and discipline. Our goal is to help these airmen deal with their drug or alcohol problem and, if appropriate, return them to duty.

*Question.* Do you believe that the Air Force has devoted sufficient resources to implementation of its rehabilitation policies and objectives since 2001?

Answer. Yes. The Air Force maintains a comprehensive and dynamic drug detection and response program that includes rehabilitation as a key element. We invest in and care for our airmen, and we have trained alcohol and drug counselors and medical providers at each installation to provide evaluation and outpatient treatment services. For airmen needing more intensive inpatient treatment, our medical

teams arrange for these services through TRICARE with local community medical centers.

*Question.* If not, in what ways?

Answer. N/A.

RELIGIOUS GUIDELINES

*Question.* The DOD Independent Review Related to Fort Hood observed that "DOD policy regarding religious accommodation lacks the clarity necessary to help commanders distinguish appropriate religious practices from those that might indicate a potential for violence or self-radicalization" and recommended that the policy be updated.

What is your view of the need to clarify the policy regarding religious accommodation in the Air Force?

Answer. I believe the Air Force policy on religious accommodation is clear. I also think it's consistent with the DOD policy. Current Air Force policy ensures that requests for religious accommodation are welcomed and dealt with fairly and consistently . . . throughout the Air Force. Requests for accommodation should be approved, unless approval would have a real (not hypothetical) adverse impact on military readiness, unit cohesion, standards or discipline and, therefore, disapproval of the accommodation request is in furtherance of a compelling government interest. We also specifically instruct our commanders to consult with their installation chaplain and staff judge advocate on requests for religious accommodation. However, consistent with the Air Force Fort Hood Follow On Review recommendations, the Air Force is reviewing and considering updating our policies to address prevention, identification, and response to religious-based disrespect, harassment, and discrimination.

*Question.* Are you concerned that the attack at Fort Hood could lead to harassment or even violence against Muslims in the Air Force?

Answer. I think there has been enough time since the Fort Hood tragedy that it is no longer likely to be the trigger event that engenders violence against Muslims in the Air Force. Nor am I aware of any ongoing harassment against Muslims or any other religion in the Air Force. I expect all airmen to act in a professional manner. I'm committed to ensuring all airmen are treated fairly, with dignity and respect. I believe other Air Force leaders share that commitment. I will continue to ensure that leaders at all levels create an environment that does not tolerate unlawful discrimination or unlawful harassment.

*Question.* What is your view of the adequacy of current Air Force strategies that address the potential for harassment or violence against Muslims in the Air Force?

Answer. The Air Force will not condone harassment or violence in the workplace against any of our airmen. Current Air Force policy is, and will remain, zero tolerance.

*Question.* Do Air Force policies regarding religious practices in the military accommodate, where appropriate, religious practices that require adherents to wear particular forms of dress or other articles with religious significance?

Answer. Our current policy is to ensure that requests for religious accommodation are welcomed and dealt with as fairly and consistently as practical throughout the Air Force. Requests for accommodation should be approved, unless approval would have a real (not hypothetical) adverse impact on military readiness, unit cohesion, standards or discipline, and therefore, disapproval of the accommodation request is in furtherance of a compelling government interest. Requests for accommodation involving the outdoor wear of religious head coverings that are not concealed under military headgear and those impacting grooming and personal appearance (e.g., hair length and style, tattoos, and "body art") must be approved by the Deputy Chief of Staff for Manpower, Personnel, and Services.

*Question.* In your view, do these policies accommodate the free exercise of religion and other beliefs without impinging on those who have different beliefs, including no religious belief?

Answer. Yes. Air Force leaders are responsible for protecting the free exercise of religion for all airmen and avoiding the appearance of an official endorsement of any particular religion. By promoting free exercise of religion in a manner that is respectful to other individuals' rights to follow their own belief systems, the Air Force creates a climate conducive to good order and discipline and maximum mission accomplishment.

Supporting the right of free expression relates directly to the Air Force core values and the ability to maintain an effective team. All airmen are able to choose to practice their particular religion or subscribe to no religious belief at all.

*Question.* In your opinion, do existing policies and practices regarding public prayers offered by military chaplains in a variety of formal and informal settings strike the proper balance between a chaplain's ability to pray in accordance with his or her religious beliefs and the rights of other servicemembers with different beliefs, including no religious beliefs?

Answer. I do believe the Air Force has the proper balance. Within the performance of a chaplain's primary, official duties with regard to spiritual or religious matters, there are no restrictions. With regard to public prayer, Air Force policy is that public prayer should not imply government endorsement of religion and should not usually be a part of routine, official business. Mutual respect and common sense should always be applied, including consideration of unusual circumstances and the needs of command. Further, non-denominational, inclusive prayer or a moment of silence may be appropriate for military ceremonies or events of special importance when its primary purpose is not the advancement of religious beliefs.

AIRCRAFT RECAPITALIZATION

*Question.* At times, approximately one third of the current Air Force aircraft inventory has been under some type of flight restriction, mainly due to aging aircraft problems.

If confirmed, what steps would you take to ensure that the Air Force recapitalizes its aircraft inventory and how would you prioritize the recapitalization effort?

Answer. I would continue to stress that our most significant aircraft recapitalization priorities are the F–35A, the KC–46, and the long-range strike bomber. In order to keep our legacy air, space, and cyberspace systems viable in the future, we must responsibly ensure funds saved through ongoing efficiency efforts are available to subsidize recapitalization efforts. We must invest in preferred munitions, modify legacy aircraft, maintain our enablers, and replace aging space assets. We need to continue our collaborative partnership with industry to make sure our requirements are clearly identified and our funding streams are consistent. Industry needs to do their part by staying on time and cost. Proceeding with these investment efforts will remain a challenge, but they are vital to the continued relevance of your Air Force.

BASE REALIGNMENT AND CLOSURE

*Question.* The President' fiscal year 2013 budget requested two additional Base Realignment and Closure (BRAC) rounds, in fiscal year 2013 and fiscal year 2015. It is widely believed that the Air Force was the Service driving this request. Congress has chosen to not include authorization for additional rounds of BRAC in either the House or Senate committee version of the NDAA. Senate report language states that additional rounds of BRAC are premature until we have a better understanding of our overseas force posture and the results of the recently completed 2005 BRAC.

Do you believe additional rounds of BRAC are warranted at this time?

Answer. During BRAC 2005, I know the Air Force fell short of its goal to reduce excess capacity. Since then, we've lost approximately 500 aircraft through force structure reductions. Although I haven't been involved in the related studies, I would assume that we still have excess infrastructure. The only way I know to effectively eliminate excess infrastructure is to close installations. Therefore, if confirmed, I would fully support DOD's request for additional rounds of BRAC.

*Question.* If so, how do you quantify the Air Force's excess capacity driving your decision?

Answer. DOD's 2004 report to Congress stated the Air Force had 24 percent excess capacity. BRAC 2005 only closed seven minor installations. That fell short of the Air Force goal for reducing capacity. In the 7 years since, we've reduced our force by approximately 500 aircraft without any accompanying installation closures. Should Congress authorize additional rounds of BRAC, I will ensure that the Air Force conducts an updated capacity analysis to determine a current figure for its excess infrastructure.

AIR FORCE SCIENCE AND TECHNOLOGY

*Question.* If confirmed, what direction would you provide regarding the importance of innovative defense science in meeting Air Force missions?

Answer. The Air Force Science and Technology (S&T) Program plays a vital role in creating compelling air, space and cyberspace capabilities for precise and reliable global vigilance, reach and power. Drawing from the Defense Strategic Guidance published in January of this year, the Air Force Strategic Plan, and the Air Force S&T Plan, and in concert with the Air Force S&T Executive, I will provide direction which focuses our S&T Program on supporting the Air Force capabilities funda-

mental to deterring and defeating aggression, projecting power in anti-access and area denial environments, operating in the space and cyberspace domains, and maintaining a safe, secure, and effective strategic deterrent.

*Question.* Do you believe the current balance between short- and long-term research is appropriate to meet current and future Air Force needs?

Answer. I do. The Air Force needs high-payoff technologies to sustain our air, space, and cyberspace superiority in an increasingly competitive environment, so we invest in a broad portfolio that is balanced across the warfighter's need for near-term, rapid-reaction solutions; mid-term technology development; and revolutionary, far-term capabilities.

*Question.* If confirmed, what role would you play in ensuring research priorities that will meet the needs of the Air Force in 2020?

Answer. As outlined in the Defense Strategic Guidance and other strategic analyses, the future security environment will undoubtedly require a range of agile and flexible military capabilities. To remain the world's most capable Air Force, we must correctly anticipate the emerging S&T advances that have the greatest military potential. I recognize that, if confirmed, I will play a vital role in this process through my oversight of the Air Staff and Air Force Major Commands, and as a member of the Joint Chiefs of Staff.

*Question.* In the face of rising acquisition costs for programs such as the Joint Strike Fighter (JSF), and programs to support space operations, if confirmed, how would you plan to ensure the protection of funding for long-term science and technology investments?

Answer. The Air Force S&T Program is a key element in making mature technologies available for transition into development programs. If confirmed, I will provide direction that focuses S&T funding investments that mature and advance the state-of-the-art in areas critical to continued United States dominance of air, space, and cyberspace.

TECHNICAL WORKFORCE

*Question.* The Air Force Research Laboratory relies on a strong technical workforce to conduct research for development of new weapons systems, platforms, and capabilities to meet its mission of: "leading the discovery, development, and integration of affordable warfighting technologies for our air and space force."

Are you concerned about the current or future supply of experts in defense critical disciplines, particularly personnel with appropriate security clearances, to hold positions in defense laboratories?

Answer. I am always concerned about maintaining an adequate supply of experts and Science, Technology, Engineering, and Math professionals in the critical defense disciplines needed in our laboratories and elsewhere in our acquisition enterprise. In the last 5 fiscal years, the Air Force has been able to meet our needs by accessing more than 3,100 engineers, physical and analytical scientists. The use of congressionally-authorized personnel and hiring authorities has improved the Air Force's ability to compete on levels of compensation and speed of hiring.

AIR FORCE TEST AND EVALUATION CAPABILITIES

*Question.* Over the past few years, the Air Force has proposed taking measures to significantly reduce its test and evaluation capabilities—both infrastructure and workforce. These efforts have, in general, been overturned by DOD and Congress.

Do you believe that the Air Force has test and evaluation capabilities that are excess to DOD needs?

Answer. No. The Air Force strives to ensure we use and organize our test and evaluation (T&E) capabilities as efficiently as possible to meet Air Force and DOD needs within a fiscally constrained budget. We have and will continue to balance Air Force T&E capabilities, Air Force and DOD needs, the available budget, and our national interest to propose feasible and prudent adjustments.

*Question.* What steps will you take to ensure that the Air Force has the appropriate testing infrastructure and qualified test workforce?

Answer. If confirmed, I will work with DOD and industry to help shape the future of our Nation's infrastructure and workforce. We will continue evaluating our T&E infrastructure and workforce requirements to identify potential efficiencies; support workforce recruiting, training, and retention programs; and focus our test infrastructure on supporting the current and future needs of the DOD acquisition community and broader national interests. Air Force T&E codifies these budget and workforce assessments annually through budget certification reports to the Test Resource Management Center in OSD.

GENERAL OFFICER MANAGEMENT ISSUES

*Question.* Incidents of misconduct or substandard performance and findings of inspectors general and other command-directed investigations are documented in various ways in each of the services. Procedures for including and forwarding adverse and alleged adverse information in connection with the promotion selection process are set forth in title 10, U.S.C., and in DOD Instruction 1320.4.

How is the Air Force ensuring compliance with requirements of law and regulation regarding review of adverse information?

Answer. We are required by law and DOD policy to present all adverse information of a credible nature to general officer promotion and Federal recognition boards. The Air Force Inspector General initiates a review of Air Force, DOD, and other Government investigative files for potential adverse information on everyone meeting these boards. If substantiated adverse information is discovered, a summary of the information, plus any written comments from the officer, are placed in a senior officer unfavorable information file and attached to the officer's selection record. If the officer is selected for promotion or Federal recognition, this file stays with the officer's nomination package through its coordination with the OSD, the White House, and the Senate.

If substantiated adverse information is discovered about an officer after selection for promotion or Federal recognition, this information will be presented to a promotion review board. The promotion review board will consider the adverse information and make a recommendation to the Secretary of the Air Force whether to continue to support the officer for appointment to the next higher grade. If the Secretary continues to support the officer, the information will be added to the nomination package.

*Question.* What standards and procedures are in place in the Air Force to ensure that allegations of adverse information relating to a nominee for promotion are brought to the attention of the Department and the Committee in a timely manner?

Answer. As stated earlier, any substantiated adverse information accompanies an officer's nomination through OSD, the White House, and the Senate. We perform additional checks for adverse information following the selection board, and every 60 days throughout the nomination process.

If allegations of adverse information arise after the board is complete the Air Force typically will separate the officer's name from the promotion list until the investigation is complete. If the allegations are substantiated, the Secretary will convene a promotion review board to determine if the individual should continue to be nominated for (or, if after confirmation, appointed to) the next higher grade. The Air Force always includes substantiated adverse information with its nomination packages through OSD to the Senate.

For three- and four-star nominations, substantiated adverse information is included in the nomination packages and the Air Force performs adverse information checks every 60 days throughout the nomination process.

READINESS LEVELS

*Question.* What is your assessment of the current readiness of the Air Force to execute its assigned missions?

Answer. Our airmen are the principal reason we're the world's best Air Force. They're ready for today's fight. They've performed superbly in sustained combat operations for over 20 years. But all those operations come with a cost, and we've seen a gradual decline in full-spectrum readiness since the early 1990s. The operations tempo has impacted some communities more than others, with effects most pronounced in our high demand/low supply capabilities.

*Question.* What do you view as the major readiness challenges that will have to be addressed by the Air Force over the next 4 years, and, if confirmed, how will you approach these issues?

Answer. With a smaller force, the Air Force must maintain the highest possible state of readiness across the Total Force. To achieve this, we must invest to maximize full-spectrum training, reduce stress on personnel, improve fleet health and modernize and acquire critical weapons systems. Unrelenting global operational demands could limit opportunities to reset, retrain, and recover full-spectrum readiness levels for both our airmen and the weapon systems we use to perform our missions. A reduction in operations tempo is a prerequisite to readiness recovery. The fiscal environment will add to the challenge, and tough decisions will be required to prevent any possibility of a "hollow force"—a force structure that looks adequate on paper but in reality lacks the readiness to perform its assigned mission due to deficiencies in resources, training, or equipment. This will require a strategy-based balance between readiness, force structure, and modernization.

INVESTMENT IN FACILITIES AND INFRASTRUCTURE

*Question.* Air Force Leadership recently stated in testimony, "MILCON is an essential enabler of Air Force missions; however, due to fiscal constraints, we must reduce funding and accept greater risk in facilities and infrastructure in order to continue our efforts to recapitalize and modernize our aging aircraft and equipment."

In your opinion, at what point is the reduction of funding for facilities and infrastructure too much of a risk for the Air Force?

Answer. Installations underpin all Air Force operational capabilities, and serve as the platforms from which we fly, fight, and win in air, space, and cyberspace. The health of those installations—the facilities, the infrastructure, and the environment that comprise our garrison and expeditionary operating locations—directly impacts operational readiness. Therefore, I believe it is important to build sustainable installations that enable Air Force core operational capabilities.

The Air Force made difficult decisions in our fiscal year 2013 budget submission in many areas, to include military construction and facilities. As part of our broader strategy, we took a deliberate pause in funding for military construction while assessing the impact associated with the force structure decisions we proposed. Our budget request also included accepting some risk with funding facility restoration and modernization at 90 percent of historic levels, and sustainment funding at slightly more than 80 percent of the OSD-modeled requirement. Anything less than this level of investment represents significant risk to our installations.

As we look forward into fiscal year 2014 and beyond, we will closely evaluate the impact of our 80 percent sustainment level to determine if we are on target and adjust as necessary. Recognizing the many upcoming combatant commander, new mission, and recapitalization needs of the Air Force, we will evaluate potential minimum funding levels for both military construction and facility restoration and modernization levels that ensure we balance investment in our installations to support the Defense Strategy by building sustainable installations that enable our core operational capabilities.

*Question.* If confirmed, would you support goals established by DOD for certain levels of funding dedicated to the recapitalization and sustainment of facilities?

Answer. The Air Force must ensure that investments in the installation platforms from which we accomplish our diverse missions are balanced and sustainable. If confirmed, I will welcome the opportunity to work in partnership with OSD and Congress to determine sustainable levels of investment for the recapitalization and sustainment that ensure our installations are viable in the years ahead.

UNMANNED SYSTEMS MANAGEMENT

*Question.* Promotion rates for operators of RPA have been on a consistently downward trend. Over the course of the last 5 years, promotion percentages from Majors Promotion Boards have declined from 96 percent to 78 percent, compared to a consistent range of between 96 and 91 percent for their peers. Education rates also consistently lag behind those for manned aircraft pilots at all levels.

Given these trends, what actions, if any, do you believe that the Air Force should take with regard to the RPA pilot career field?

Answer. Because of the rapid growth of RPA capability, RPA pilots have accomplished the mission under challenging circumstances. It is concerning that promotion rates for RPA pilots are lower than the Air Force average.

The Air Force established the RPA pilot career field in May 2010. The pilots flying RPAs today come from three distinct backgrounds: "traditional" pilots from manned airframes such as F–16s, C–17s, etc.; combat systems officers; and new accessions trained specifically for this mission. The Air Force has worked to identify important milestones and career broadening opportunities for progression in the RPA career field. Recognizing that professional military education is an important part of officer development, we have reallocated some additional professional military education slots for RPA pilots. We are also increasing the training pipeline as much as possible to expand the inventory of RPA pilots. Doing so will allow increased opportunities for career broadening.

Finally, I believe instructions given to promotion boards emphasize the fact that RPA pilots possess unique skills critical to national security and to our success in today's global environment. Those instructions also makes clear that the needs of the Air Force and combatant commanders may not have allowed RPA pilots to experience the same development opportunities and career progression as their peers.

If confirmed, I will review these issues and take actions, as necessary, to ensure we maintain a high quality RPA pilot force.

AIR FORCE GLOBAL STRIKE COMMAND

*Question.* The Air Force Global Strike Command was stood up as a result of the Air Force nuclear weapons handling incident in 2007.

What areas of improvement do you believe are needed for the Air Force Global Strike Command?

Answer. The organizational changes made to reinvigorate the nuclear enterprise, especially the stand-up of Air Force Global Strike Command, have resulted in steady improvement over the past 4 years. Air Force Global Strike Command, as the lead for our core function of nuclear deterrence operations, has taken a proactive role in reestablishing a focus and culture of precision and reliability in the Air Force's nuclear enterprise. Their efforts have also resulted in substantial improvements in sustainment and programming. Recently, the Air Force further improved the organizational structure by transferring responsibility for the nuclear weapon storage areas from Air Force Material Command to Air Force Global Strike Command.

Air Force Global Strike Command, along with the Air Force Nuclear Weapons Center and the Strategic Deterrence and Nuclear Integration Directorate on the Air Staff, continue to mature. As we move forward, I am concerned about the resources needed to sustain and modernize our intercontinental ballistic missile and bomber forces. The strategic forces of Air Force Global Strike Command, both conventional and nuclear, need our collective support to ensure the gains which have been made since 2008 aren't temporary and to ensure the continued credibility and capability of our forces.

*Question.* Lieutenant General Kowalski, the Commander of the Air Force Global Strike Command, has put a high priority on the B–52 Connect System and the SR2 radar replacement.

Do you support his efforts to have them funded in the FYDP?

Answer. To meet higher priorities in the fiscal year 2013 PB, the Air Force terminated the legacy B–52 Strategic Radar Replacement (SR2) program and restructured the combat network communications technology (CONECT) program to address critical sustainment issues for visual displays.

The Air Force elected to maintain the current B–52 APQ–166 radar for the near-term versus investing in a replacement radar. Analysis indicates the current B–52 radar system is sustainable through the B–52's service life (2040). If confirmed, I will revisit the feasibility of funding the SR2 program in future POMs given the anticipated increase in sustainment costs of the radar.

In the fiscal year 2013 PB, the DOD restructured the B–52 CONECT program to only include replacement of critical visual displays. The B–52 Developmental Systems Office continues the baseline CONECT program development efforts.

*Question.* Do you support replacing the Long-Range Cruise Missile?

Answer. Yes. The Long-Range Stand-Off (LRSO) weapon is the follow-on to the Air Launched Cruise Missile (ALCM) and will fill capability gaps documented in the Airborne Strategic Deterrence ICD (Joint Requirements Oversight Council (JROC) approved May 2011). Initial LRSO efforts are fully funded through the Future Years Defense Program. LRSO is currently undergoing an analysis of alternatives to determine a material solution. The analysis of alternatives remains on track for completion in fiscal year 2013.

*Question.* Are you satisfied with the progress of the Family of Beyond Line of Site Terminals for the B–52 and B–2 and using a VLF system for secure hardened communications?

Answer. Not really . . . but I agree with the decisions made based on competing priorities for resource allocation. The Air Force restructured the family of beyond line of site terminals program in fiscal year 2012, delaying terminal deliveries to the bomber fleet beyond the Future Years Defense Program. The B–52's secure, survivable communication capability is currently provided by their very low frequency radio. In fiscal year 2013, the Air Force will begin a program to deliver a similar very low frequency capability to the B–2 fleet by 2017. Therefore, based on the reality of the resource picture, I'm satisfied with the progress of this program.

*Question.* Given April 2012 Air Force Inspector General's concerns on the helicopter support to the missile fields, do you support replacing the UH–1N fleet of support helicopters?

Answer. Not at this time. A cost benefit analysis of missile field security determined that it was possible to make improvements while deferring a replacement helicopter. We've been able to decrease operational risk with investments in missile security and surveillance upgrades. In addition, we're in the process of acquiring an additional 22 UH–1Ns from the Marine Corps. We are also planning modifications

to modernize and help sustain the aircraft, realigning resources to meet demand, and evaluating adjustments to tactics and procedures to maximize effectiveness.

AIR FORCE ABILITY TO RESPOND TO WORLDWIDE CONTINGENCIES

*Question.* What impact, if any, do you see on the Air Force's ability to respond to worldwide contingencies as a consequence of the demands of current operations in Iraq and Afghanistan?

Answer. Over the past 20 years of combat operations in the U.S. Central Command area of responsibility, the Air Force has carefully maintained the ability to respond to worldwide contingencies. We've demonstrated our ability to respond in multiple operations such as tsunami support in Southwest Asia, earthquake support to Japan, combat operations over Libya in Operation Odyssey Dawn, and continued airspace control alerts over the United States in Operation Noble Eagle. Maintaining this capability has required the Air Force to accept some risk, as combatant command requirements exceed DOD-wide capacity for specific capabilities at times. The activity of the past 20 years has had significant impact on the Air Force in terms of costs related to increased equipment usage and the impact of high operations tempo on Air Force personnel. Current readiness levels reflect the cumulative impact of this demand.

The Air Force remains committed to supporting global contingency requirements through the Joint Staff-led Global Force Management process and we continue to provide highly skilled, trained and ready airmen to support the combatant commanders. We are doing this by balancing our required reset period following drawdown from Afghanistan and Iraq with the national security risk posed by global events requiring U.S. military response.

*Question.* How much additional risk, if any, is the United States assuming in this regard?

Answer. The Secretary of Defense directed the implementation of Global Force Management within DOD in 2005. One of the goals of this program is to manage and make informed decisions relative to risk, both to the services ability to sustain the force and the combatant commanders' ability to support national military objectives.

In order to mitigate these risks, we must continue to modernize our force and strengthen our alliances and partnerships. We work with allies and partners around the world to build their capacity to promote security. As the Air Force works to mitigate budget cuts over the next 10 years, we must continue to closely watch risk trends to ensure we remain responsive and effective.

BELIEVABILITY OF REQUIREMENTS

*Question.* In June 2006, the Army and Air Force signed a memorandum of understanding regarding the merger of two separate small cargo aircraft programs into the C–27 Joint Cargo Aircraft (JCA) program. Subsequently, the Air Force testified that the Air Force had to participate in the C–27 program because only the C–27 would allow the Air Force to meet the direct support logistics requirements of the Army. This year, the Air Force testimony is that the C–130 fleet can handle the Army direct support requirements just fine without any contribution from any C–27 aircraft. Just last June, then-Under Secretary Carter certified, as part of a Nunn-McCurdy breach in the Global Hawk program that the Global Hawk Block 30 program was both essential to national security and there was no other alternative that would provide acceptable capability to meet the joint military requirement at less cost. This year, the Air Force is proposing to cancel the Global Hawk Block 30 program.

Why should Congress put any particular faith in assertions by Air Force officials about needs and requirements when there have been such remarkable reversals in unambiguous Air Force positions on large programs?

Answer. Air Force Requirements are driven by the critical capabilities necessary to fulfill our Service mission in support of the National Military Strategy. Specific programs to meet these requirements are routinely reviewed based upon balancing risk across all 12 of our core functions within the context of the fiscal environment. In the case of the C–27J and Global Hawk Block 30, in context of the new strategy and the limitations imposed by the Budget Control Act, the Air Force made the determination that these two requirements—direct support to the Army and high altitude ISR—could be sufficiently met at lower overall cost by using the C–130 and continuing the U–2 program.

FORCE PROVIDER FOR CYBER COMMAND

*Question.* The Commander of U.S. Cyber Command testified that his command is far short of the number of trained personnel needed to support the Command's offensive missions. He and other officials have expressed the belief that some additional personnel for Cyber Command can be harvested through the consolidation and rationalization of the thousands of sub-networks operated by the Military Services and defense agencies.

What is your understanding of the personnel requirements, both military and civilian, of Cyber Command, and how do you intend to provide the needed personnel to Cyber Command?

Answer. I am not familiar with those new requirements yet, but I understand the Commander's concerns about the number of cyber specialists available to support U.S. Cyber Command missions. I will ensure the Air Force works with the Joint Staff and Cyber Command during the fiscal year 2014 Program Budget Review to make available to the Command as many trained personnel as we can, based on the validated manpower requirement and our available inventory.

The Air Force's cyber component, 24th Air Force, is only about 85 percent manned. The Air Force has increased the throughput of our training pipeline to provide qualified personnel, but it will still take time to fill the need.

*Question.* Do you expect that network consolidation could free up significant numbers of cyber personnel currently engaged in defensive and network management tasks to support Cyber Command's offensive missions?

Answer. Network consolidation efforts have already freed up significant numbers of cyber personnel. They have already been repurposed within the Air Force to support both offensive and defensive cyber operations roles. Although additional enterprise-level consolidation efforts will free up more personnel, we can best support U.S. Cyber Command by first applying these savings to the existing shortfall at the Air Force cyber component.

*Question.* Do you think that additional recruiting and retention authorities may be needed, and in the case of civilian personnel, additional hiring authorities, and if so what approaches would optimize the Air Force's ability to recruit and retain needed cyber specialists?

Based on current recruiting and retention rates, the Air Force has the authorities it needs to meet military cyber requirements. For civilians, we have made significant use of the Schedule-A Authority granted by the Office of Personnel Management to DOD to staff certain cyber security positions. If confirmed, I look forward to working with the appropriate parties to further define roles, responsibilities and required manning for this emerging and complex area.

CYBER COMMAND AND CONTROL

*Question.* What is your view of the complexities involved in, and the appropriate roles of, the geographic combatant commanders and the Commander of U.S. Cyber Command, respectively, commanding and controlling cyberspace operations that take place in or through a geographic combatant command area of operations when the interests of more than one Command are implicated?

Answer. Cyberspace is a manmade domain through which actions can be instantaneous and global in nature. The complexities which evolve from this domain require a delicate balance between U.S. Cyber Command's global cyber mission and its requirement to provide direct support to regional combatant commanders, whose focus requires integration of effects across all domains within their area of responsibility. We are addressing this complexity and balance through a transitional cyber command and control model which places U.S. Cyber Command cyber elements within each combatant command, allowing proper U.S. Cyber Command synchronization of cyber effects globally, while also allowing the regional combatant commanders to integrate cyber with kinetic and non-kinetic effects in support of their missions.

All of this is done in the same domain where other government entities routinely operate. Coordination, deconfliction, and synchronization are very difficult to achieve and the missions being conducted can be conflicting in nature. National cyber policy is not yet mature and there is huge potential for disagreement and disruption. While I believe all players would agree with the primacy of the combatant commander to make decisions relative to cyber activity and effects in a war zone, I believe they would also stipulate their support only if those effects were limited to that commander's area of operations . . . something that is almost impossible to guarantee in the cyber domain.

*Question.* In terms of the networks provisioned and operated by the Military Services, what are your views about the respective roles of the Military Service and U.S.

Cyber Command in commanding actions on those networks to determine threats and to react to them?

Answer. For example, should Cyber Command headquarters have the same level of insight into network status and configuration as the Service component, and should operational orders always be executed through the Service components?

Our Service role is to build and maintain Air Force networks to OSD, Chief Information Officer standards, specifications and management guidelines, and operate and defend networks to U.S. Cyber Command standards. The Service components (in our case 24th Air Force/Air Force Cyber) maintain situational awareness of their networks, monitor those networks for threats, and respond to those threats according to standards and orders from U.S. Cyber Command. It is the responsibility of the Service component to provide situational awareness to U.S. Cyber Command, ensuring Service-specific missions and impacts are properly considered. Therefore, operational orders from U.S. Cyber Command should be executed via the Service components. Service responsibilities are two-fold: (1) to provide cyber forces through the Global Force Management Implementation Guidance to U.S. Cyber Command; and (2) to organize, train, equip, and protect networks to support Service functions.

ACTIONS OF AIR FORCE OFFICIALS

*Question.* Over the last several years, senior Air Force officers are reported to have publicly advocated the funding of a number of programs that were not included in the President's budget and for which there was no currently validated joint requirement. These programs include the procurement of additional C–17s, the continuation of the C–130J multi-year contract, and the multi-year procurement of additional F–22 aircraft. Senior Air Force officers are also alleged to have advocated a legislative proposal that would overturn a decision of the Base Realignment and Closure Commission relative to joint basing.

What is your view of the propriety of efforts by senior Air Force officers to advocate the funding of programs that are not included in the President's budget and for which there is no currently validated joint requirement, other than in response to a congressional request for their personal views?

Answer. Other than those occasions when individuals appear before appropriate committees of Congress and are asked to give their personal views, the military Services cannot function effectively and credibly if senior officers advocate for programs or funding of requirements that are not a part of the President's budget. While there is room for and a need for healthy debate of options and alternatives, once official decisions are made the official expression or advocacy of alternate positions must end. Otherwise, the confusion and consternation that result inhibit our ability to fund and field the approved programs.

*Question.* If confirmed, what steps, if any, would you take to curb such efforts?

Answer. If confirmed as Chief of Staff, I would work closely with the Secretary of the Air Force both to foster a healthy debate within the Air Force on the allocation of valuable resources and to ensure an understanding that only established processes and procedures for advocating program funding and priorities outside the Air Force will be used.

STRATEGIC NUCLEAR STOCKPILE

*Question.* A recent report by Global Zero, an organization advocating for the elimination of nuclear weapons, suggested that the United States could reduce the strategic nuclear stockpile to 900 warheads and eliminate the land based leg of the triad of nuclear delivery vehicles. General Norton Schwartz in response to the study stated that he disagreed with both the assessment and the study.

What is your view on the findings and recommendations of the Global Zero study?

Answer. I agree with the conclusions of the 2010 Nuclear Posture Review. I believe our Triad of nuclear delivery systems should be retained. As we consider future reductions in our nuclear forces, we must continue to strengthen deterrence of potential regional adversaries, strategic stability vis-a-vis Russia and China, and assurance of our allies and partners. Toward these ends, the Nuclear Posture Review called for follow-on analysis to set goals for future nuclear reductions below the levels set in the New START. Further study, informed by the increasing complexity of the emerging 21st century security environment, and a strategy-based analysis of the attributes needed to achieve these ends, is crucial.

*Question.* Do you support the sustainment of the Minuteman III fleet through 2030?

Answer. Yes, I support sustaining the Minuteman III fleet through 2030 as mandated by Congress in the NDAA of 2007. The President's fiscal year 2013 budget reflects the Air Force's continued commitment to invest in the enduring and compel-

ling attributes the Nation needs for a safe, secure, and effective nuclear deterrent force. The strength and responsiveness of the intercontinental ballistic missile force produce stability needed in today's security setting.

*Question.* Do you support the effort to design and develop a next-generation land-based deterrent to replace the Minuteman III at the end of its current service life?

Answer. Yes. As the President stated in 2010, nuclear modernization requires investment for the long-term, and even in light of the new fiscal realities of the Budget Control Act, the administration continues to pursue these programs and capabilities. The President's fiscal year 2013 budget reflects the Air Force's continued commitment to invest in the enduring and compelling attributes the Nation needs for a safe, secure and effective nuclear deterrent force. The Air Force fully funded and is conducting the material solution analysis required to identify the options for a follow-on intercontinental ballistic missile system. The material solution options include enhancement of the existing system, replacement of the existing system (keeping the current infrastructure), and development of a new system.

*Question.* Do you believe the United States should consider unilateral nuclear reductions?

Answer. No. I believe that further U.S. nuclear reductions should be pursued within the context of negotiations—whether bilateral or multilateral. This approach is consonant with the Resolution of Ratification of the New START treaty that calls for addressing the disparity between the tactical nuclear weapons stockpiles of the United States and Russian Federation by seeking a verifiable agreement. It is also in keeping with our requirements under the nuclear non-proliferation treaty to pursue negotiations as the means to fulfill our nuclear obligations. Finally, negotiations provide the means to achieve assured desired reciprocal actions, verification and transparency mechanisms (which will become increasingly important as reductions continue), and provide an important venue for discussion/interaction with other nuclear-armed nations.

ACQUISITION POLICY AND MANAGEMENT

*Question.* Despite success in awarding a contract for the procurement of replacement aerial refueling aircraft, the Air Force's recent attempt to award a $355 million contract for light attack aircraft for the Afghan military suggests that major challenges in how the Air Force conducts source selections persist. Members of Air Force leadership, including the Air Force Chief of Staff, have expressed serious concern about how the Air Force awarded this contract.

Do you believe that anomalies that have been identified in connection with this source selection may be indicative of systemic problems in how the Air Force procures goods and services?

Answer. No. Although I am not familiar with the details of the Light Air Support (LAS) source selection process nor the concerns with the decision itself, I do know that, as part of the Commander Directed Investigation associated with the LAS acquisition, the Air Force reviewed two source selections from each Air Force Materiel Command Product Center and Air Force Space Command's Space and Missile Center to assess quality and consistency of source selection procedures implemented in other Air Force systems acquisition programs. The anomalies found in the Light Air Support source selection were not pervasive. Nonetheless, the AF is reinforcing source selection training and file management requirements enterprise-wide in support of current and future source selection decisions

*Question.* If confirmed, what specific changes, if any, do you believe need to be made to the Air Force's acquisition culture that would help ensure acquisition excellence?

Answer. Our Air Force must continue improvements, such as those that have been taken under our recapturing acquisition excellence initiative; to ensure we deliver to the warfighter those systems needed to support Joint and coalition operations in the face of significant budget reductions. Cultural changes must continue to be made internally and will take time, but we shouldn't be patient.

The Air Force and its acquisition enterprise need to be committed to a culture of efficiency and productivity in execution while pursuing robust business process improvements. This includes cultivating a culture of personal accountability while providing tools and training to the workforce that increases its business acumen, provides the Air Force with better business deals, and enables us to be better stewards of taxpayer money.

The Air Force must ensure that its programs continually address affordability across their lifecycles. Our acquisition community must foster a culture of teamwork with the requirements and resource communities to ensure the programs we start have firm cost goals in place, appropriate priorities set, and the necessary analysis

to make informed trade-offs to keep our programs within affordable limits. The Air Force has begun to put measures in motion to achieve these process improvements.

These are challenging times, and continuing to conduct business as usual is not an option. If confirmed, developing and improving weapon systems and automated information systems, as well as developing and retaining a professional workforce to execute the acquisition mission will remain a priority.

*Question.* In April 2012, the Defense Business Board (DBB) recommended that the chiefs of the Military Services should be more engaged and accountable in the acquisition process.

Do you see a need for any change in the role of Chief of Staff of the Air Force in the requirements determination, resource allocation, or acquisition management processes of the Department of the Air Force?

Answer. Within the acquisition system, the Service Chiefs are responsible for development and validation of requirements and recommending the proper allocation of resources across competing portfolios to satisfy these requirements. This is firmly established by the Goldwater-Nichols Act. I believe the CSAF should be personally involved in the requirements approval/change process for major weapons system programs.

*Question.* What do you see as the potential advantages and disadvantages to giving the Chief of Staff of the Air Force and the other Service Chiefs more authority and responsibility for the management and execution of acquisition programs?

Answer. The advantage of the Chiefs' expanded involvement is the opportunity to gain insight into how acquisition strategies and solutions are meeting the requirements of the operational forces. This insight would improve the Chiefs' ability to attest to requirements affordability in order to improve program cost or schedule in a manner consistent with desired operational capability. A disadvantage is the potential blurring of the Service Acquisition Executive and the Chiefs' principle acquisition roles which might hinder the overall Service responsibility for oversight, reporting, and execution of acquisition programs. These new roles may also take away from the Chiefs' focus on military operational needs and resourcing.

*Question.* What do you believe is the appropriate role of the combatant commanders in the requirements, acquisition, and resource-allocation processes?

Answer. The current role of the combatant commanders in the requirements process is appropriate. Each year, the combatant commanders submit integrated priority lists characterizing required capabilities to execute their missions. They then participate in the adjudication of actions taken on these lists through the Joint Staff's Capability Gap Analysis process. Additionally, they are standing members of the JROC and the Deputies Management Advisory Group.

*Question.* Do you see a need for any change in the structure or functions of the JROC or the role played by the Chief of Staff of the Air Force and the Vice Chief of Staff of the Air Force in the JROC?

Answer. No. I believe the current structure and function of the JROC and the roles played by both the Chief and Vice Chief of Staff of the Air Force are appropriate.

*Question.* What is your assessment of recent revisions made by the Vice Chairman of the Joint Chiefs of Staff to the Joint Capabilities and Integration Development System (JCIDS)?

Answer. I support the recent JCIDS revisions made by the Vice Chairman. The Air Force was energetically involved throughout the process that shaped the final outcome. At the start of the revision process, the Air Force made specific recommendations to the Chairman regarding JCIDS and has been incorporating analogous recommendations to our own processes in parallel to the JCIDS revisions. We have made significant progress, but more work needs to be done to better prioritize Joint requirements.

TEST AND EVALUATION

*Question.* What do you see as the appropriate role of the developmental and operational test and evaluation communities in the rapid acquisition, spiral acquisition, and other evolutionary acquisition processes?

Answer. I believe the role of developmental test/operational test is the same in any type of acquisition. We plan, resource, and execute the most efficient blend of modeling, simulation, analysis, laboratory, and open range testing required to ensure the contractor met its contractual obligations, the system meets its required specifications, and that the system is operationally effective and suitable. Testers are involved early in acquisition planning and requirements analysis to ensure the acquisition program baseline and requirements are feasible, executable, and effec-

tive. For rapid acquisition, this requires close coordination. These are fundamental principles that do not change regardless of the type of acquisition.

*Question.* Are you satisfied with the Air Force's test and evaluation capabilities?

Answer. I am. The Air Force develops the most advanced systems in the world. Test and evaluation verifies these capabilities work before we ask our airmen to risk their lives with them in combat. Furthermore, I expect the Air Force to maintain continuous improvements in test and evaluation. One example is in the area of rapidly emerging threats and technologies. The threat is rapidly changing. Therefore technology cannot wait and must keep ahead of the bow wave. Test and evaluation gives us assurance that we remain ahead and effective.

*Question.* In which areas, if any, do you feel the Air Force should be developing new test and evaluation capabilities?

Answer. Emerging technologies and threats are opening up in areas like hypersonics and cyber warfare, both offensive and defensive, just to mention a couple of examples. Existing capabilities cannot fully exploit breakthroughs in these areas. Full exploitation requires test and evaluation capabilities above and beyond the systems they are testing and a concerted coordination effort between the Air Force, DOD, other government agencies, industry, and even foreign partners.

*Question.* Section 102 of the Weapon Systems Acquisition Reform Act established a new Deputy Assistant Secretary of Defense for Developmental Test and Evaluation (DASD(DT&E)) to help ensure that the operational and developmental testing organizations in DOD and the Military Services are adequate to ensure an appropriate level of testing, and testing oversight, on major defense acquisition programs. Section 835 of the NDAA for Fiscal Year 2012 built on this provision by establishing new organizational and management requirements for developmental testing on major defense acquisition programs. Section 803 of the committee-reported NDAA for Fiscal Year 2013 would clarify the oversight and supervisory responsibilities of the DASD(DT&E) over the chief developmental testers and lead developmental test evaluation organizations of the Military Departments, including the responsibility for establishing policies and guidance for, and monitoring and reviewing the performance of, all developmental test components of DOD.

If confirmed, would you help ensure that the Air Force adheres to relevant guidance established by the DASD(DT&E) and ensure that the Air Force promptly transmits any records or data directly to the DASD(DT&E) upon request?

Answer. Yes. I'm told the Air Force has a very good working relationship with the DASD(DT&E) and that we've seen great improvements in the robustness and quality of developmental testing resulting from establishment of this office. I will fully support DASD(DT&E)'s mission in all respects and will support the already established Air Force policy for this.

*Question.* Some have argued that testing takes too long and costs too much. Others contest this view pointing out that testing and evaluation is an essential tool to assist in the development of weapon systems and ensure that they perform as intended. The Armed Services Committee has expressed concern that problems with weapons systems have been discovered during operational testing and evaluation that should have been discovered during developmental testing and corrected during subsequent development.

Do you believe that major defense acquisition programs are helped or hurt by cutting tests budgets and reducing the time available for developmental testing?

Answer. Overall, programs are hurt by cutting test budgets and reducing the time available for developmental test and risks are increased. Test expenditures have repeatedly been shown to consume approximately 3 percent of overall acquisition costs. Even with that small amount, we've taken steps to improve testing with statistically-based test designs and integrating the efforts of all testers to squeeze out greater efficiency.

*Question.* What steps if any would you take, if confirmed, to ensure that the Air Force's program management community and the testing and evaluation community work collaboratively and effectively in a way that maximizes the likelihood that developmental testing and evaluation will detect and identify problems timely in software and hardware to provide opportunities to correct them before production and before operational testing and evaluation begins?

Answer. Our test and acquisition communities have an overall smooth working relationship. There is a natural, healthy tension between the testers and program management which brings testers into decisionmaking and acquisition strategy design in the earliest phases of new programs. Our integrated test teams have created increased communication and trust between testers and program managers when all information is out in the open. The benefit of this is that test and evaluation review processes and foster earlier designation and involvement of development test organi-

zations and responsibilities. If confirmed, I will press forward with institutionalizing integrated testing as a key test design strategy.

JOINT STRIKE FIGHTER

*Question.* To date, the JSF program has gone though several major restructurings that have helped reduce near-term acquisition risks by lowering annual procurement quantities within the Future Years Defense Plan and allowing more time and resources for developmental testing. While GAO, for the second year in a row, finds that these restructurings, which most recently concluded with the completion of a technical baseline review, "should lead to more achievable and predictable outcomes", GAO also believes concurrency change management, software development, and long-term affordability remain major issues for this program.

What role do you expect to play, if confirmed, in the management of the JSF program?

Answer. Should I be confirmed as CSAF, my primary role regarding the JSF will be to integrate it into the USAF, and to fulfill my Title 10 responsibilities to organize, train, and equip forces to support the combatant commanders.

While the JSF Program Office has the primary responsibility for managing development and production of the JSF, as CSAF I will retain program influence by setting USAF priorities and recommending program funding levels. I will continue to receive recurring program updates and guide USAF integration as did my predecessor. The Vice Chief and I will coordinate USAF JSF-related issues such as aircraft beddown, support, and associated USAF training. I will very closely monitor any changes to existing requirements tht drive program cost or schedule.

*Question.* If confirmed, what criteria would you use in helping to determine an initial operating capability (IOC) date for the Air Force's variant of this aircraft?

Answer. The Air Force will declare IOC when the Commander of Air Combat Command determines we have achieved the appropriate milestones in aircraft and training device capability and availability, air and ground crew training and proficiency, and the development, verification, and documentation of training, tactics and maintenance procedures.

*Question.* In your view, what are the major management issues associated with the development and production of the Air Force's version of this aircraft?

Answer. The major management issues, in my view, are software development and performance, concurrency change management, affordability, schedule and production quality.

The JSF software development plan is funded, is realistic, and has sufficient Reserve, but there is still some risk associated with the plan. Past and present performance suggests that software is at risk of delivering late with less than planned capability. The whole air system capability (onboard flight systems, mission systems, offboard ALIS and its interfaces) is critical to meet operational requirements.

Effective management of the concurrency changes, lowering life cycle cost, and the delivery of affordable full service life jets are critical for the USAF. Changes are driven by design maturity discoveries concurrent with the production/delivery of aircraft. The JSF Program Office is currently pursuing cost-sharing arrangements during the ongoing negotiations for LRIP Lot 5 and will continue to pursue similar cost sharing language in all future contracts.

Problems with initial quality are yielding higher production costs now. Focused effort is being applied to improve quality and reduce cost. Improving quality and reducing production costs is imperative for the United States and our partners.

*Question.* To what extent do you believe that the Air Force may need to buy additional quantities of legacy aircraft to hedge against further slips in this program's scheduled delivery of air craft to the Air Force?

Answer. The Air Force chose to modernize and sustain 4th generation fighters as a bridge to 5th generation delays. Examples include the F–16 Service Life Extension Program (SLEP) and Combat Avionics Programmed Extension Suite (CAPES), which are more cost effective than a new F–16 purchase. Pending the results of ongoing fighter durability tests, we will continue this approach for a relatively small, but scalable, number of F–16s.

JSTARS

*Question.* The Air Force has stated that JSTARS re-engining program will result in significantly improved mission capability, increased safety of flight margins, and will pay for its development and procurement costs by Air Force's own determination when including fully burdened costs, by 2018. The Analysis of Alternatives (AoA) for ground moving target indicator capability also concluded that JSTARS alternatives are unaffordable in the near-term and that the Air Force intends to con-

tinue operating the E–8C JSTARS aircraft until at least 2025—further validating the value of re-engining the JSTARS fleet. Section 146 of the NDAA for Fiscal Year 2012 (P.L. 112–81), enacted into law on December 31, 2011, requires the installation of at least one new engine shipset on an E–8C JSTARS operational fleet aircraft. The law also cites concerns about the significant reprogramming of funds that were specifically authorized and appropriated for the JSTARS re-engining program and directed an audit of all JSTARS funds as well as direction to spend authorized and appropriated funds for the purposes that they were intended. Moreover, the audit found that $160.5 million was reprogrammed or the Air Force let them expire. Additionally, the Air Force Audit Agency also identified $38.8 million of unexpended funds for JSTARS re-engining. The audit states that the Air Force estimated cost to complete the System Development and Demonstration and to install one new engine shipset on a E–8C JSTARS aircraft totals $35 million.

If confirmed, will you comply with the requirements of section 146 which requires the Air Force to install at least one new engine shipset on a E–8C JSTARS operational fleet aircraft?

Answer. I have not been involved at all with this issue and do not sufficiently understand the details. If confirmed, I will become familiar with the requirements of section 146 and address congressional concerns with Air Force compliance within the requirements of that section.

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 of the Air Force?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE

1. Senator LEVIN. General Welsh, as founder of Joint Functional Component Command-Intelligence, Surveillance, and Reconnaissance (JFCC–ISR) and the nominee to be Chief of Staff for the Service that controls most of our airborne ISR assets, what recommendations would you make to improve the Department of Defense's (DOD) process for assigning ISR assets to meet the requirements of the geographic combatant commanders outside of theaters of major combat operations?

General WELSH. Assigning our scarce intelligence, surveillance, and reconnaissance (ISR) resources to meet the diverse requirements of national-level decision-makers and Geographic combatant commanders is an extremely challenging task. The global force management allocation process has served DOD well in assigning these scarce ISR assets to address the Nation's highest priority requirements. JFCC–ISR continues to modify this process to better address Department needs in a changing security environment. For example, JFCC–ISR continually evaluates our ISR posture to ensure that we will address the warfighters' highest priorities in a post-Operation Enduring Freedom environment. Part of this evaluation includes in-

corporating an ISR assessment process that not only helps allocate ISR capabilities to combatant commands but highlights gaps and vulnerabilities in current technologies to inform future Service force modernization efforts. In the future, we may also want to explore the possibility of enlarging the pool of ISR resources by increasing the collection capabilities and the processing, exploitation, and dissemination resources the other Services make available for joint allocation.

2. Senator LEVIN. General Welsh, are there steps the Air Force can take, notwithstanding the broader DOD process, to make more effective use of airborne ISR assets to meet these requirements?

General WELSH. We are improving the effectiveness and capacity of our airborne intelligence, surveillance, and reconnaissance (ISR) capabilities by upgrading our remotely-piloted vehicle (RPA) fleet's full-motion video (FMV) sensors to high-definition and streamlining RPA command and control through multi-aircraft control. Additionally, machine-to-machine networking to identify emerging targets and shorten the kill chain—achieved in initiatives such as net-centric collaborative targeting—is improving the effectiveness of existing ISR assets. To increase efficiencies, we are also off-boarding RC–135 Rivet Joint data to enable greater collection capacity and integrating Global Hawk Block 40 and Joint Surveillance Target Attack Radar System to create a more comprehensive, flexible ground moving target indicator architecture. Air Force Distributed Common Ground System (DCGS) is also performing FMV processing, exploitation, and dissemination (PED) via reachback for all MC–12W sorties and is endeavoring to do the same for wide-area sensors.

We are attempting to make more effective use of airborne ISR assets by integrating "cross-domain" tools for collection management and PED. This helps us avoid redundant taskings and enables collection through multiple sensors, as well as PED through multiple nodes. Additionally, we continue to work with the Office of the Secretary of Defense, our intelligence community partners, government labs, and industry to identify, develop and integrate enhanced data exploitation/integration and analytic tools into the Air Force DCGS, Air and Space Operations Centers, and ISR analysis and production centers. These tools are moving us in the direction of machine-to-machine integration, allowing our analysts to leverage greater amounts of data using deeper level analysis and fusion techniques. An additional goal for the Air Force ISR enterprise is to continue integrating non-traditional data sources, such as video from combat targeting pods.

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## QUESTION SUBMITTED BY SENATOR MARK BEGICH

### AIR FORCE SPACE POLICY

3. Senator BEGICH. General Welsh, how has the National Space Policy, released in June 2010, and the National Security Space Strategy, released in January 2011, influenced Air Force space posture or investment plans? Specifically, how has it influenced utilization of commercial space ports, like Kodiak Launch Complex in Alaska?

General WELSH. In accordance with the 2010 National Space Policy, the Air Force continues to support the purchase and use of commercial space capabilities and services when such capabilities and services are available and meet U.S. Government requirements. The successful Air Force launch of the Operationally Responsive Space TacSat-4 mission from the Kodiak Launch Complex (KLC) in September 2011 demonstrates this commitment.

The Air Force evaluates all launch locations based on mission requirements, orbital profiles, and cost effectiveness to support national objectives. The KLC is a valuable part of our National Space Access capability. The support provided to our launch teams during the two previous Air Force missions was outstanding. Due to current mission requirements there are no launches currently planned. However, we remain optimistic that ongoing initiatives aimed at transforming the current launch and range enterprise will offer potential areas for future collaboration.

The Air Force continues to value the capability and location KLC provides and the opportunity to utilize KLC in support of National Security Space.

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## QUESTIONS SUBMITTED BY SENATOR KIRSTEN E. GILLIBRAND

### WOMEN AND MINORITIES IN THE AIR FORCE

4. Senator GILLIBRAND. General Welsh, I'm concerned about the persistent lack of representation of women and minorities within Air Force senior and key com-

mand leadership ranks. This critical gap is counterproductive to the country's strategic goals and underutilizes our full talent base and negatively impacts our national security. The lieutenants of today are the colonels and generals of tomorrow, and every year that passes without actionable and accountable solutions guarantees this same demographic status quo as they progress through the ranks. In your estimation, is the Air Force officer corps representative of the demographics of the United States relative to minorities and women? If not, is this a priority for you and what, as the Air Force Chief of Staff, do you plan to do in order to lead the kind of transformation necessary to correct this problem in a responsible and sustainable way?

General WELSH. Yes, this will remain a priority. In fact, in 2011 second lieutenant accessions very closely reflected the pool of eligible female and minority candidates.

In 2011 the Air Force accessed 76.2 percent Whites, 6.5 percent African Americans, 8.2 percent Hispanics, and 9 percent Asians or other minorities (see explanation below), which very closely reflects the 2011 eligible population of 77.1 percent of whites and 22.9 percent of minorities (6.9 percent African Americans, 6.2 percent Hispanics, and about 9.8 percent Asians or other minorities) who met all of the eligibility requirements to become Air Force officers.

It is important to understand that not all Americans are eligible to join our Air Force as officers for many reasons. The U.S. eligible population is a more accurate basis for comparison because this is the population from which we are able to recruit. To become an officer, individuals must meet several minimum requirements: be between 18 and 34 years old, be a U.S. citizen, have at least a bachelor's degree, and meet certain height, weight, and medical requirements. Currently, there are approximately 67 million individuals between the ages of 18 and 34 in the United States, about 21.5 percent of the U.S. population. Of these individuals, about 15 million have a college degree; 14 million are U.S. citizens, and 9 million meet height and weight requirements. When you consider all of these factors, age, citizenship, education, physical fitness, and add to that an individual's medical history, the pool of eligible candidates quickly drops from 67 million to 8 million. Despite this relatively small pool of eligible candidates from which we had to recruit, the Air Force was successful in accessing a reflective sample of the eligible minority population.

Since 2006, females have accounted for about 25 percent of our officer accessions; female officers comprise 19.4 percent of the officer corps. According to the 2010 census, there are slightly more than 35 million females in the United States between the ages of 18 and 34. This equals approximately 11.47 percent of the total U.S. population. In that age group, roughly 8.7 million (or 24.7 percent of females ages 18–34) have 4-year college degrees and, therefore, meet the minimum age and education requirements to become Air Force officers.

While the eligible populations for male and female officers are comparable among the Services, the percentage of female accessions in the Air Force is higher. The Air Force's female accession rate is 25 percent: the Navy's is 22 percent, the Army's is 21 percent, and the Marine Corps' is 9 percent.

Determining the root causes of the accessions gap is a great concern to me and the U.S. Air Force. We have commissioned a few studies with RAND over the next year to evaluate female officer retention and accessions. Although we do not yet have concrete data, we suspect that the accession difference is at least partially explained by perceptions and misconceptions about the Air Force involving quality of life (including deployment and mobility requirements), opportunities for promotion, and a lack of mentorship. There is also a shortfall of women in the science, technology, engineering, and math fields, from which the Air Force draws the majority of its officers. We recognize and understand that one of our challenges is to better grasp the accessions gap. My desire is to access and maintain more women in the United States Air Force.

The Air Force is committed to increasing our representation of qualified female and minority airmen. The greatest strength of our Air Force is our airmen. The greatest strength of our airmen is their diversity. Each of them comes from a different background, a different family experience, and a different social experience. Each brings a different set of skills and a unique perspective to the team, which is why we embrace diversity in our Air Force.

5. Senator GILLIBRAND. General Welsh, the Military Leadership Diversity Commission (MLDC) report dated March 2011 hails the Navy Strategic Diversity program as a model. Will you thoroughly review the Navy's program for possible implementation of some of their best practices? If no, why not?

General WELSH. Yes, we will explore the Navy's program along with our sister Services and external government agencies to benchmark best practices. Since the final MLDC report was published, the Air Force continues to strengthen our diver-

sity initiatives that support diversity priorities to institutionalize, attract, recruit, develop and retain a highly qualified diverse and inclusive Total Force. We will continue to partner across the Joint environment to strengthen our diversity program.

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## QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

### PROPOSED GROWTH IN CIVILIAN PERSONNEL

6. Senator MCCAIN. General Welsh, the President's budget request for fiscal year 2013, on the one hand, cuts Active Duty end-strength by 7.2 percent and Reserve component end-strength by 2.5 percent in total. But, on the other hand, it requests an increase of 2,400 full-time civilian personnel in the Air Force over the next 5 years. What is your view on the need for the Air Force to increase the number of its civilian employees, even in the face of reductions in force structure and uniformed personnel throughout DOD?

General WELSH. Any changes in civilian end strength are driven by associated changes in workload. Our fiscal year 2013 Presidents budget submission reflects an addition of 3,650 civilians from fiscal year 2012 through fiscal year 2017 in a variety of areas including DOD directed additions for combatant command requirements, foreign military sales, and depot maintenance. We will address this growth in our zero-based analysis of our civilian workforce during our fiscal year 2014 Presidents budget development.

7. Senator MCCAIN. General Welsh, if confirmed, would you reexamine this issue?

General WELSH. I will consistently review the Air Force's use of our resources. The Air Force reviews the balance of our Total Force makeup to ensure that the essential manpower is available to perform our required workload.

### JOINT STRIKE FIGHTERS AT LUKE AIR FORCE BASE

8. Senator MCCAIN. General Welsh, the Air Force is getting ready to release a Record of Decision (ROD) on the placement of F–35 squadrons at Luke Air Force Base (AFB). There appears to be a possibility that this ROD may end up proposing only three F–35 training squadrons, as opposed to six originally considered. With the proposed departure of two F–16 squadrons to Holloman AFB, the Air Force will end up with a significantly underutilized ramp at the premier training base and the best training range in the country at a time the Air Force can ill afford to operate inefficiently. Why do you believe moving the two F–16 squadrons to Holloman AFB is the best move for the Air Force pilot training mission?

General WELSH. The Secretary and Chief of Staff of the Air Force made the decision to relocate two of Luke AFB's F–16 squadrons to Holloman AFB in July of 2010. Holloman has: access to airspace, to include the White Sands Missile Range, and multiple air-to-ground ranges; adequate ramp and facility space for two squadrons; rare inclement weather; low likelihood of environmental issues; and a history of fighter training. In addition, F–16 pilot training will be required for the foreseeable future.

The recent record of decision for F–35A training basing States that three F–35 squadrons will be assigned to Luke and the Air Force is committed to international partners training at this location. Luke will also retain 2 U.S. F–16 training squadrons (48 primary aircraft authorized (PAA)) and 2 foreign military sales training squadrons (26 PAA). Further, the Air Force intends to leverage Luke AFB's extensive capacity to the maximum extent possible. The next F–35A training basing decision will leverage existing capacity and expedite decisionmaking through reliance on the final environmental impact statement as appropriate. The Air Force anticipates making another basing decision for up to an additional three training squadrons (72 PAA) of F–35A aircraft around December 2014.

9. Senator MCCAIN. General Welsh, are you aware of any restrictions to the current F–16 pilot training syllabus at Luke AFB that prevents the Air Force from conducting full spectrum operations training?

General WELSH. All F–16 syllabi training events are fully supported at Luke AFB.

10. Senator MCCAIN. General Welsh, if the Air Force decides to station three F–35 squadrons at Luke AFB for now, could the base also support the F–16 squadrons currently operating there in existing facilities?

General WELSH. The Air Force signed a Record of Decision on August 1, 2012 stating that Luke AFB would receive the first three training squadrons of F–35 air-

craft and would retain two U.S. F–16 training squadrons and two FMS F–16 training squadrons. In addition, it stated the Air Force is committed to international partners training at this location. The two remaining U.S. F–16 training squadrons at Luke AFB will move to Holloman AFB per the Secretary of the Air Force decision announced on July 30, 2010.

A site survey conducted in support of this decision indicated that Luke AFB had capacity to support up to seven squadrons and the Air Force intends to leverage that extensive capacity to the maximum extent possible. The next F–35A training basing decision will be expedited through reliance on the Final Environmental Impact Statement as appropriate. The Air Force anticipates making another basing decision for up to an additional 3 training squadrons (72 Primary Aircraft Authorized (PAA)) of F–35A aircraft on or about December 2014.

11. Senator McCAIN. General Welsh, are you aware of the operational constraints with the air-to-ground ranges at Holloman that will have a detrimental impact on the pilot training syllabus?

General WELSH. I am aware of an on-going effort to finalize the plan for integration of Formal Training Unit (FTU) requirements with other organizational requirements for White Sands Missile Range (WSMR) airspace. Holloman has access to a large and diverse collection of restricted airspace, ranges, military operating areas (MOA) and air traffic control assigned airspace. To address scheduling integration within the various activities that take place on the range, the WSMR leadership sponsored a Lean-Six Sigma Rapid Improvement Event (RIE) from 6–8 March 2012 to address FTU access to WSMR airspace. The RIE recommendations are being codified by WSMR personnel and will be evaluated against hypothetical FTU airspace requirements in the coming months.

STRATEGIC NUCLEAR WEAPONS

12. Senator McCAIN. General Welsh, a May 2012 report by Global Zero, an organization advocating for the elimination of nuclear weapons, suggested that the United States could reduce the strategic nuclear stockpile to 900 warheads and eliminate the land based leg of the triad of nuclear delivery vehicles. In response to the study, General Schwartz stated that he disagreed with both the assessment and the study. Do you agree with General Schwartz?

General WELSH. Yes. Consistent with the 2010 Nuclear Posture Review, I believe that our Triad of nuclear delivery systems should be retained and any potential future reductions in our nuclear forces must maintain ability to deter potential regional adversaries and ensure strategic stability, as well as assure our allies and partners in key regions.

13. Senator McCAIN. General Welsh, do you believe the current threat warrants moving from a triad to a dyad? If not, why not?

General WELSH. No. Each leg of the Triad contributes unique attributes that when combined, create a synergistic effect, greater than just the sum of the parts, while maintaining a hedge against uncertainty. The responsiveness, survivability and flexibility of the Triad underwrite stability by deterring nuclear-armed adversaries and providing credible assurances to allies. I support the Nuclear Posture Review's conclusion that, for the foreseeable future, the Triad will continue to provide the best blend of complementary attributes to maintain stability.

14. Senator McCAIN. General Welsh, during our hearing in March, General Robert Kehler, the head of U.S. Strategic Command (STRATCOM), testified that he is concerned with the lack of a plan and strategy to meet STRATCOM's nuclear weapons requirements. The fiscal year 2013 budget for the National Nuclear Security Administration (NNSA) makes a number of significant changes and cuts funding the plutonium facility at Los Alamos, a key element of the nuclear weapons complex modernization plan that the President committed to when he asked the Senate to ratify the New Strategic Arms Reduction Treaty (START). According to General Kehler, he will be "concerned until someone presents a plan that we can look at and be comfortable with and understand that it's being supported." Do you agree that the commitment to modernize the nuclear weapons complex was a key element in the ratification of the New START treaty?

General WELSH. Both the Secretary of Defense and the Chairman of the Joint Chiefs of Staff testified during the treaty ratification process that the effectiveness and credibility of our deterrence is tied to the commitment to prudently invest in our Nation's nuclear weapons infrastructure and in the nuclear warhead life exten-

sion programs. Now and in the future, Air Force nuclear deterrent capabilities will depend upon a responsive, modernized nuclear weapons complex infrastructure. In light of the Budget Control Act and competing priorities for resource allocation, DOD is working closely with the Department of Energy's National Nuclear Security Administration to pursue the necessary life extension programs required for Air Force systems to ensure we meet STRATCOM requirements.

15. Senator MCCAIN. General Welsh, do you agree that the fiscal year 2013 budget does not honor the terms of the plan that the President committed to in exchange for the treaty?

General WELSH. The President's fiscal year 2013 budget reflects the Air Force's continued commitment to invest in the enduring and compelling attributes the Nation needs for a safe, secure and effective nuclear deterrent force. The Air Force fully funded and is conducting the material solution analysis required to identify the options for follow-on intercontinental ballistic missile and cruise missile systems. As the President stated in 2010, nuclear modernization requires investment for the long-term, and even in light of the new fiscal realities of the Budget Control Act, the administration continues to pursue these programs and capabilities.

16. Senator MCCAIN. General Welsh, do you agree that modernization is universally recognized as essential to the future viability of the nuclear weapons complex and a prerequisite for future reductions?

General WELSH. Yes, I agree that a modernized and responsive nuclear infrastructure is a factor which must be considered for future reductions. The 2010 Nuclear Posture Review affirmed that the U.S. nuclear infrastructure is in need of modernization and that remains the case today. As we move to lower numbers, the ability of the nuclear weapons complex to effectively demonstrate and support the readiness of our Nation's deterrent capability becomes even more critical.

17. Senator MCCAIN. General Welsh, do you share General Kehler's concerns?

General WELSH. With the number of Navy and Air Force warhead sustainment requirements on the horizon, I support General Kehler's desire to have a strategic plan between DOD and National Nuclear Security Administration that synchronizes these requirements. As the Air Force is responsible for providing nuclear deterrent forces for two-thirds of the Nation's nuclear Triad, which forms the foundation of global stability and assuring our allies and partners, we are working closely with the National Nuclear Security Administration on the programming and funding challenges impacting Air Force systems and the development of a long-range plan.

BIOFUELS

18. Senator MCCAIN. General Welsh, in a recent article, senior Air Force officials reportedly said regarding investments by DOD in the development of biofuels that, "We're not in the fuel production business. We're not into scaling up new fuels ... the challenge with petroleum fuels is that it's a commodity. You're trying to jump into a commodity market. That's not a place for the Government to be." Do you agree with that position?

General WELSH. While the Air Force is testing and certifying alternative fuel blends that have the potential to be developed on a commercial scale, the Air Force will be a consumer, not a producer, of those fuels. The Air Force is partnering with the other Services and private industry to ensure that when new cost effective fuels come to market, they will also meet the Air Force's technical specifications.

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QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEQUESTRATION

19. Senator INHOFE. General Welsh, sequestration will be devastating to our national defense, the military, and our defense industrial base. Could you please explain how sequestration will affect your organization?

General WELSH. The percentage reduction for fiscal year 2013 equals the total cut for DOD as a whole ($50–$55 billion) divided by fiscal year 2013 new budget authority and prior-year unobligated balances. If military personnel funding is exempt, it will be excluded from fiscal year 2013 new budget authority. That means everything else is cut more and DOD estimates an 8 percent cut with milpers included, 10 percent with milpers exempt. The best way to avoid this problem is to turn off sequestration for defense and non-defense.

20. Senator INHOFE. General Welsh, we are already assuming risks with the reduction of the DOD budget, but if sequestration takes effect, how much more risk would be involved and can we adequately meet the requirements of our national defense strategy?

General WELSH. We are currently performing impact assessments of sequestration that consider some of these factors. However, we are heavily focused on turning off sequester rather than assessing its impact.

21. Senator INHOFE. General Welsh, if sequestration takes effect, the resulting across-the-board cuts would be devastating to our military's readiness. Can you explain how a reduction in funds will hamper training and proficiency; for example, a reduction in your flying hour program and reduced time on the ranges?

General WELSH. Sequestration would seriously disrupt the Air Force forces and programs. The Air Force would need to implement actions to the Operation and Maintenance appropriation such as reductions to flying hours and weapon system sustainment, and reduce training. The fiscal year 2013 proposed budget balances risk to meet the DOD Strategic Guidance, resulting in increased but manageable risk. Further reductions would increase the risk, making it unmanageable.

F–35

22. Senator INHOFE. General Welsh, is the Air Force committed to the F–35 program?

General WELSH. Yes. The Air Force remains fully committed to the F–35 program, which is the future of the fighter force. The program of record for the aircraft has not changed, which is 1,763 F–35A aircraft.

23. Senator INHOFE. General Welsh, does prolonging production of the F–35 increase overall cost of the program?

General WELSH. Yes. Prolonging production of the F–35 results in a small overall increase to the cost of the program due to a longer production run and more years of inflation impacting the production program. However, over the Future Year Defense Plan, the Department believes this provides a balanced approach between concurrency bills and respect for unit recurring flyaway costs. In addition, this allows for allocation of scarce money to other department priorities in a resource constrained fiscal environment.

24. Senator INHOFE. General Welsh, have concurrency issues been mitigated by producing only 30 aircraft per year for 5 years?

General WELSH. Yes. The President's budget 2013 quantities of roughly 30 per year have reduced the total number of aircraft that will require retrofit modifications due to concurrency. As a result, this has yielded some concurrency cost mitigation. However, further reductions in production quantities could drive cost increases arising from production assembly and supplier disruptions that would offset any benefits associated with lower concurrency costs.

25. Senator INHOFE. General Welsh, what does the business case analysis show when comparing the cost of slowing down and delaying production vice accelerating production and modifying earlier lots of F–35s?

General WELSH. The Air Force has not performed a full business case analysis relating to this specific question. However, DOD held a comprehensive program review and developed a balanced approach between decreasing modification costs and increasing unit costs associated with decreasing production rates. At this time, the DOD believes that they have achieved the best balance between the need for stabilizing production rates with the realities of increasing concurrency modification costs. The DOD is continuing to monitor the program and will rebalance as necessary.

AGING FLEET OF AIRCRAFT

26. Senator INHOFE. General Welsh, the Air Force is currently flying the oldest fleet of aircraft in its history. Given the projected defense budgets, that fleet will continue to age. What are your concerns about this aging fleet and decreasing budgets?

General WELSH. Our primary concerns regarding our aging fleet are aircraft capability, capacity and availability. As we view the new strategic landscape, it is imperative that we maintain the appropriate fleet combat capability and capacity to de-

feat current and emerging threats. Therefore, funding modernization and recapitalization programs for the fleet continue to be a priority. Additionally, to avoid a hollow force, we will continue to fund flying hours and weapon systems sustainment programs to maintain aircraft availability rates to sustain aircrew readiness and meet the strategic demand signal.

JOINT SURVEILLANCE TARGETING AND ATTACK RADAR SYSTEM

27. Senator INHOFE. General Welsh, over the past 2 years, the Air force has conducted an Analysis of Alternatives (AOA) to guide its investments in future ground-moving target indicator capability currently on the Joint Surveillance Targeting and Attack Radar System (JSTARS) aircraft. In testimony before this committee on March 22, General Schwartz stated, "notwithstanding the AOA ... we will continue with the combination of the JSTARS Ground Moving Target Indicator (GMTI) capability, with the Block 40 Global Hawk." Furthermore, DOD's Annual Aviation Inventory and Funding Plan for fiscal years 2013 to 2042 indicates that no alternatives to JSTARS are expected to emerge in the foreseeable future. Giving this information, why isn't the Air Force moving forward with JSTARS reengining?

General WELSH. The Air Force does not consider reengining the JSTARS fleet a viable option as stated in the May 2010 United States Air Force Report to the Congressional Defense Committees. The current E–8C JSTARS platform faces an approximate $1.1 billion sustainment bill in the Future Years Defense Plan due to diminishing manufacturing source (DMS) issues and a much needed tech refresh for the platform, battle management suite and the radar weapons system. An E–8C reengining program would add another $1.9 billion bill. The E–8C's Mission Capable Rate is currently meeting the Air Force goal. The Air Force is assessing its ground moving target indicator (GMTI) strategy in the context of the AOAs findings and the constrained budget environment.

ALTERNATIVE ENERGY AND WAR ON GLOBAL WARMING

28. Senator INHOFE. General Welsh, I believe DOD can and should improve efficiencies in energy use and expand in the use of alternative energy sources; however, it should not come at the cost of manning, training, or equipping the force. Do you agree?

General WELSH. I agree and I believe that we can strike a balance in both areas. The Air Force is proud to be a leader in America's ongoing effort to use energy more efficiently through better procedures and new technologies while, at the same time, decreasing energy consumption and the Nation's dependence on imported oil.

To address this challenge, the Air Force Energy Plan provides a comprehensive and cohesive framework for all airmen to utilize in determining how to make energy a part of operational considerations. From developing new secure and reliable energy alternatives, to energy efficiency and conservation initiatives, the Air Force is making great strides in shifting the culture to where energy is a major component of Air Force operations. This helps sustain mission readiness and responsiveness on a global scale. We are currently addressing the rising cost of petroleum fuels and the high cost of alternative fuels. Approximately 80 percent of the Air Force's energy consumption in aviation fuel and fiscal shortfalls is due to the rising price of petroleum. However, the current high cost of alternative fuels is affecting our ability to increase our use of them more effectively. Despite this, we are continuing to prepare our inventory for alternative fuels suitability, so that if and when alternative fuel prices become more affordable in the future, the Air Force will be prepared to take advantage of them.

The Air Force constantly assesses evolving requirements for organizing, training, and equipping our forces and we are fully cognizant of budget constraints and the need for effective stewardship of public resources. As the range of Air Force operations expands, prioritization and maximization of available resources remains increasingly critical to maintain mission capabilities. Identification of efficiencies and process improvements provides one mechanism for the Air Force to meet changing demands and priorities within resource constraints.

29. Senator INHOFE. General Welsh, some alternative fuels, such as biofuels, cost five to eight times as much as conventional fuels, with no guarantee that market forces will bring these costs down. The Navy's move to biofuels alone is expected to add $1.8 billion a year in fuel costs for the green fleet. This money will have to be taken from other accounts due to decreasing defense budgets. With the continued

decline of the defense budget over the past 3 years—forcing cuts to personnel, ships, and aircraft—what will be the impact of tripling or quadrupling your fuel costs?

General WELSH. The Air Force has faced shortfalls in past years due to rising prices of traditional fuels. The future availability of drop-in alternative fuels may help insulate the Air Force against fuel price volatility, as well as improve energy security by decreasing dependence on foreign oil. The Air Force strategy is to only purchase alternative fuels that are cost competitive with traditional sources.

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## QUESTION SUBMITTED BY SENATOR SAXBY CHAMBLISS

### F–22 REQUIREMENT

30. Senator CHAMBLISS. General Welsh, in your advance policy questions, you were asked to respond to a question related to the actions of Air Force officials who, as the question states, "are reported to have publicly advocated the funding of a number of programs that were not included in the President's budget and for which there was no currently validated joint requirement. These programs include the procurement of additional C–17s, the continuation of the C–130J multi-year contract, and the multi-year procurement of additional F–22 aircraft."

I appreciate your response to this question and agree that, as you said, "while there is room for and a need for healthy debate of options and alternatives, once official decisions are made the official expression or advocacy of alternate positions must end."

I have two comments and one question in relation to this issue. First, while such public advocacy for programs not included in the President's budget and for which there is no currently validated joint requirement is not appropriate, in my experience, such advocacy has occurred, to some extent, across the Services and is not limited to the Air Force. Second, specifically in relation to the F–22, the statements by the committee in the question they asked you are in error. According to the fiscal year 2007 budget documents which can be found at: http://www.gpo.gov/fdsys/pkg/BUDGET–2007–APP/pdf/BUDGET–2007–APP–1–7.pdf the fiscal year 2007 President's budget did request authority for a multi-year contract for the F–22. This is also confirmed by witness statements at the Senate Committee on Armed Services, Airland Subcommittee hearing on March 28, 2006.

Regarding there being a validated joint requirement for the F–22s to be purchased under the multi-year contract requested by the administration as part of their fiscal year 2007 budget request, can you confirm that that request, which increased the total number of F–22s in the Air Force inventory to 183, was based on a validated joint requirement?

General WELSH. Yes. The F–22 inventory numbers are based on a validated joint requirement. In order to understand F–22 procurement numbers, a brief historical overview is necessary:

- 1985 Demonstration/Validation Request for Proposal—acquisition planned at 750 aircraft
- 1991 Major Aircraft Review—downsized the planned acquisition to 648 aircraft
- 1994 Bottom-Up Review—downsized the planned acquisition to 442 aircraft
- 1996 Joint Estimate Team Revision—downsized the planned acquisition to 438 aircraft
- 1997 Quadrennial Defense Review (QDR)—downsized the planned acquisition to 339 aircraft based on a budget driven compromise
- 2002 Sustaining Air Dominance Defense Planning Guidance (DPG) Study—outlined USAF requirement for 381+ aircraft to fill 10 equally capable air expeditionary forces with 24 primary mission aircraft inventory squadrons, support the global strike (GS)/homeland defense concept of operation, and the defense strategy 1–4–2–1 planning construct
- 2003 Office of the Secretary of Defense $43 billion budget cap—downsized the planned acquisition to 277 aircraft
- 2004 Program budget decision (PBD) 753 reduced F–22 acquisition to 183 aircraft
- 2005 PBD 720 moved funds under realigned program as fallout from PBD 753; programs multi-year production of 183 F–22s through fiscal year 2010
- 2008 War Supplemental Bill—increased acquisition to 187 aircraft

This history shows that the validated joint requirement stands at 381 aircraft, as determined by the 2002 Sustaining Air Dominance DPG Study. This number has been revalidated by numerous independent and Air Force studies to fulfill the Stra-

tegic Planning Guidance 06–11 force sizing construct (1–4–2–1). The procurement reductions to 183 were arrived at by balancing risk within fiscal constraints. The requirement remained unchanged with the new DOD Strategic Guidance issued in January 2012.

The last F–22 was delivered to the Air Force in May 2012 and the production line is in the process of being closed. The tooling machinery will be maintained in storage, but options to re-open the line are cost prohibitive.

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[The nomination reference of Gen. Mark A. Welsh III, USAF, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*May 10, 2012.*

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

The following named officer for appointment as Chief of Staff, U.S. Air Force, and appointment to the grade indicated while assigned to a position of importance and responsibility under Title 10, U.S.C., sections 8033 and 601:

*To be General.*

Gen. Mark A. Welsh III, 4951.

The nominee has agreed to respond to requests to appear and testify before any duly constituted committee of the Senate.

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[The biographical sketch of Gen. Mark A. Welsh III, USAF, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF GEN. MARK A. WELSH III, USAF

General Mark A. Welsh III is Commander, U.S. Air Forces in Europe; Commander, Air Component Command, Ramstein; and Director, Joint Air Power Competency Center, Ramstein Air Base, Germany. He is responsible for Air Force activities, conducted through 3rd Air Force, in an area of operations covering almost one-fifth of the globe. This area includes 51 countries in Europe, Asia, and the Middle East, and the Arctic and Atlantic oceans with a total population reaching nearly 1 billion people speaking more than 80 languages. He also has administrative control of 17th Air Force, providing support, logistics, and resources to U.S. Africa Command.

General Welsh was born in San Antonio, TX. He entered the Air Force in June 1976 as a graduate of the U.S. Air Force Academy. He has been assigned to numerous operational, command, and staff positions. Prior to his current position, he was the Associate Director of the Central Intelligence Agency for Military Affairs, Central Intelligence Agency, Washington, DC.

*Education:*

1976 - Bachelor of Science degree, U.S. Air Force Academy, Colorado Springs, CO.
1984 - Squadron Officer School, by correspondence.
1986 - Air Command and Staff College, by correspondence.
1987 - Master of Science degree in computer resource management, Webster University.
1988 - Army Command and General Staff College, Fort Leavenworth, KS.
1990 - Air War College, by correspondence
1993 - National War College, Fort Lesley J. McNair, Washington, DC.
1995 - Fellow, Seminar XXI, Massachusetts Institute of Technology, Cambridge, MA.
1998 - Fellow, National Security Studies Program, Syracuse University and John Hopkins University, Syracuse, NY.
1999 - Fellow, Ukrainian Security Studies, John F. Kennedy School of Government, Harvard University, Cambridge, MA.
2002 - The General Manager Program, Harvard Business School, Harvard University, Cambridge, MA.

2009 - Fellow, Pinnacle Course, National Defense University, Fort Lesley J. McNair, Washington, DC.

2009 - Leadership at the Peak, Center for Creative Leadership, Colorado Springs, CO.

*Assignments:*

| From | To | Assignment |
|---|---|---|
| August 1976 .... | July 1977 ..... | Student, undergraduate pilot training, Williams Air Force Base, AZ |
| July 1977 ..... | January 1981 ..... | T–37 instructor pilot and class commander, Williams AFB, AZ. |
| January 1981 ... | May 1981 ..... | Student, fighter lead-in training, Holloman AFB, NM. |
| May 1981 ..... | August 1981 ..... | Student, A–10 training, Davis-Monthan AFB, AZ. |
| August 1981 .... | May 1984 ..... | Instructor pilot, flight commander and wing standardization and evaluation flight examiner, 78th Tactical Fighter Squadron and 81st Tactical Fighter Wing, Royal Air Force Woodbridge, England. |
| May 1984 ..... | June 1987 ..... | Commander, Cadet Squadron 5, later, executive officer to the Commandant of Cadets, U.S. Air Force Academy, Colorado Springs, CO. . |
| June 1987 ..... | June 1988 ..... | Student, Army Command and General Staff College, Fort Leavenworth, KS. |
| June 1988 ..... | October 1988 ..... | Student, F–16 conversion training, Luke AFB, AZ. |
| October 1988 ... | July 1992 ..... | Operations officer, 34th Tactical Fighter Squadron, later, Commander, 4th Tactical Fighter Squadron, Hill AFB, UT. |
| July 1992 ..... | June 1993 ..... | Student, National War College, Fort Lesley J. McNair, Washington, DC. |
| June 1993 ..... | June 1995 ..... | Chief, Defense and Space Operations Division, Operations Directorate (J3), Joint Staff, the Pentagon, Washington, DC. |
| June 1995 ..... | April 1997 ..... | Commander, 347th Operations Group, Moody AFB, GA. |
| April 1997 ..... | June 1998 ..... | Commander, 8th Fighter Wing, Kunsan Air Base, South Korea. |
| June 1998 ..... | June 1999 ..... | Commander, College of Aerospace Doctrine, Research and Education, Maxwell AFB, AL. |
| June 1999 ..... | September 2001 | Commandant of Cadets and Commander, 34th Training Wing, U.S. Air Force Academy, Colorado Springs, CO. |
| September 2001 | April 2003 ..... | Director of Plans and Programs, Headquarters, U.S. Air Forces in Europe, Ramstein AB, Germany. |
| April 2003 ..... | June 2005 ..... | Director of Global Power Programs, Office of the Assistant Secretary of the Air Force for Acquisition, Headquarters U.S. Air Force, Washington, DC. |
| June 2005 ..... | June 2007 ..... | Deputy Commander, Joint Functional Component Command for Intelligence, Surveillance, and Reconnaissance, U.S. Strategic Command, Bolling AFB, Washington, DC. |
| July 2007 ..... | August 2008 ..... | Vice Commander, Air Education and Training Command, Randolph AFB, TX. |
| August 2008 .... | December 2010 | Associate Director of the Central Intelligence Agency for Military Support/Associate Director for Military Affairs, Central Intelligence Agency, Washington, DC. |
| December 2010 | present ..... | Commander, U.S. Air Forces in Europe; Commander, Air Component Command, Ramstein; and Director, Joint Air Power Competency Center, Ramstein AB, Germany. |

*Summary of joint assignments:*

| From | To | Assignment |
|---|---|---|
| June 1993 ..... | June 1995 ..... | Chief, Defense and Space Operations Division, Operations Directorate (J3), Joint Staff, the Pentagon, Washington, DC, as a lieutenant colonel and a colonel. |
| June 2005 ..... | June 2007 ..... | Deputy Commander, Joint Functional Component Command for Intelligence, Surveillance, and Reconnaissance, U.S. Strategic Command, Bolling AFB, Washington, DC, as a major general. |
| August 2008 .... | December 2010 | Associate Director for Military Affairs, Central Intelligence Agency, Washington, DC, as a major general and a lieutenant general. |
| December 2010 | present ..... | Commander, U.S. Air Forces in Europe; Commander, Air Component Command, Ramstein; and Director, Joint Air Power Competency Center, Ramstein AB, Germany, as a general. |

*Flight information:*

Rating: Command pilot.

Flight hours: More than 3,400.

Aircraft flown: F–16, A–10, T–37, and TG–7A

*Major awards and decorations:*

Distinguished Service Medal with oak leaf cluster

Defense Superior Service Medal with oak leaf cluster

Legion of Merit with oak leaf cluster

Distinguished Flying Cross with oak leaf cluster
Meritorious Service Medal with two oak leaf clusters
Air Medal with oak leaf cluster
Aerial Achievement Medal
Joint Service Commendation Medal
Air Force Commendation Medal

*Effective dates of promotion:*
Second Lieutenant, June 2, 1976
First Lieutenant, June 2, 1978
Captain, June 2, 1980
Major, May 1, 1985
Lieutenant Colonel, June 1, 1989
Colonel, February 1, 1994
Brigadier General, August 1, 2003
Lieutenant General, December 9, 2008
General, December 13, 2010

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by Gen. Mark A. Welsh III, USAF, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Mark A. Welsh III.

2. **Position to which nominated:**
Chief of Staff, U.S. Air Force.

3. **Date of nomination:**
May 10, 2012.

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:**
January 26, 1954; San Antonio, TX.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Elizabeth Louise (Vosburg) Welsh.

7. **Names and ages of children:**
Mark A. Welsh IV, 32.

John V. Welsh, 31.
Matthew J. Welsh, 26.
Elizabeth A. Welsh, 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, company, 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, Air Force Association.
Member, Air Force Academy Association of Graduates.
Member, Order of the Daedalions.

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 before any duly constituted committee of the Senate?
I do.

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.

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[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.]

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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.

GEN. MARK A. WELSH III, GENERAL, USAF.

This 11th day of March, 2012.

[The nomination of Gen. Mark A. Welsh III, USAF, was reported to the Senate by Chairman Levin on July 25, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on August 2, 2012.]

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[Prepared questions submitted to LtGen John F. Kelly, USMC, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense (DOD) Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to re-

cruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions? If so, what areas do you believe might be appropriate to address in these modifications?

Answer. No, I do not see any need for modifications to the Goldwater-Nichols Act. If confirmed, and if I see a need for modifications, I will not hesitate to provide appropriate recommendations.

DUTIES

*Question.* What is your understanding of the duties and functions of the Commander, U.S. Southern Command (SOUTHCOM)?

Answer. The Commander, SOUTHCOM, is responsible for: detecting and deterring attacks against the United States and its territories, possessions, and bases, and for employing appropriate force to defend the Nation, should deterrence fail; carrying out missions and tasks assigned by the President and Secretary of Defense, to include planning for and conducting military operations as directed; planning for and conducting security cooperation activities; assigning tasks to and directing coordination among subordinate commands to ensure unified action; and exercising force protection responsibilities and providing joint training to assigned military forces. For the conduct of normal operations, SOUTHCOM's geographic area of responsibility (AOR) includes 31 countries and 15 dependencies and areas of special sovereignty.

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

Answer. I am honored the President nominated me to be the Commander of SOUTHCOM. Over the past 3½ decades, I have served in a variety of U.S. Marine Corps and joint assignments, in both operational and staff positions, as well as four combat tours—one in the Gulf War and three in Iraq. If confirmed, these experiences have prepared me well to meet the challenges and opportunities of commanding SOUTHCOM.

I have served in several command positions where I acquired valuable planning and operational experience at both the tactical and operational levels: as Assistant Division Commander, 1st Marine Division; Commanding General, I Marine Expeditionary Forces (Forward), which deployed as Multinational Force West in Al Anbar and Ninewa provinces; and Commander, Marine Forces Reserve and Marine Forces North. In addition to this command experience, I served in various staff positions, to include Headquarters, U.S. Marine Corps, including two tours as Congressional liaison officer and legislative assistant to the Commandant; as Assistant Chief of Staff, G–3, with the Second Marine Division; and my first joint duty as Special Assistant to the Supreme Allied Commander, Europe. These jobs allowed me to participate in joint, multinational, and interagency strategy and policy development, as well as affording me unique opportunities to engage with international partners across Europe, Russia, and Northern and Central Asia.

My current position as Senior Military Advisor to the Secretary of Defense has given me the strategic experience and operational insight necessary to direct the operations of a geographic combatant command. I recently visited Colombia, Brazil, and Chile in support of a trip by the Secretary of Defense, and was impressed by the strong and growing security partnerships the United States has with these three countries. If confirmed, I will continue to deepen defense partnerships in the region, especially with key nations that can help share in the responsibility and costs of ensuring hemispheric security.

*Question.* Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the SOUTHCOM Commander?

Answer. If confirmed, I will engage with key leaders and personnel within the executive and legislative branches of the U.S. Government to enhance my knowledge of U.S. foreign policy and interests within SOUTHCOM's AOR. I will also engage with military, defense, and governmental leaders of nations throughout the region to understand their perspectives. I will engage with regional experts in academia and think tanks in both the United States and Latin America and the Caribbean to understand the complexities of issues affecting the region. I will also engage with the other combatant commanders to better understand operational synchronization across our respective areas of responsibilities. Finally, if confirmed, I will build on my basic working knowledge of Spanish and familiarize myself with Portuguese in order to enhance my interactions with counterparts in the region.

RELATIONSHIPS

*Question.* Section 162(b) of title 10, U.S.C., provides that the chain of command runs from the President to the Secretary of Defense and from the Secretary of Defense to the Combatant Commands. Other sections of law and traditional practice, however, establish important relationships outside the chain of command. Please describe your understanding of the relationship of the Commander, SOUTHCOM, to the following:

The Secretary of Defense.

Answer. The Commander performs his duties under the authority, direction, and control of the Secretary of Defense, and is responsible for accomplishing the military missions assigned by the President and the Secretary of Defense and for exercising command authority over the forces assigned by the Secretary of Defense.

*Question.* The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense performs duties delegated by the Secretary and performs the Secretary's duties in his absence. The Commander communicates regularly with the Deputy Secretary and provides information and support necessary for the Deputy Secretary to perform these duties.

*Question.* The Under Secretaries of Defense.

Answer. The Commander does not have a direct command relationship with the Under Secretaries of Defense. The Commander does regularly exchange information, interacts with, and coordinates with the Under Secretaries on strategic and regional security issues.

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

Answer. The Chairman is the principal military advisor to the President and Secretary of Defense and serves as the key communication link between the combatant commanders and the President. The Vice Chairman performs the duties prescribed by the Chairman, and performs the Chairman's duties in his absence or disability. To enable the Chairman and Vice Chairman to perform their respective roles and duties, the Commander of SOUTHCOM routinely provides information to the Chairman and Vice Chairman on significant events and issues in the command's AOR.

*Question.* The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. The Commander does not have a direct command relationship with the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs, but regularly exchanges information and coordinates with the Assistant Secretary on issues related to homeland defense.

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

Answer. The Commander does not have a direct command relationship with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, but regularly exchanges information and coordinates with the Assistant Secretary on issues of mutual concern and interest.

*Question.* The Service Secretaries and Service Chiefs.

Answer. The Service Secretaries are responsible for administration and support to the forces assigned to the combatant commands. The Service Chiefs are responsible for organizing, training, and equipping forces in their respective departments for assignment to the combatant commands. The Commander does not have a direct command relationship with the Service Secretaries and Service Chiefs, but regularly exchanges information and coordinates on issues of mutual concern and interest, working closely with them to understand service capabilities, discuss combatant command requirements, and effectively employ service capabilities to successfully conduct SOUTHCOM's mission.

*Question.* The other combatant commanders, particularly U.S. Northern Command (NORTHCOM).

Answer. The Commander, SOUTHCOM, maintains a close relationship with other combatant commanders, especially with the Commander of U.S. Northern Command. The combatant commanders are in frequent contact, coordinating on issues of mutual concern, and exchanging information. When directed or specified by the Secretary of Defense, the relationship between combatant commanders becomes formalized in order to plan and execute specific operational plans.

*Question.* U.S. Chiefs of Mission within the SOUTHCOM AOR.

Answer. The Commander does not have a formal relationship with the Chiefs of Mission. The U.S. Ambassador is responsible for directing and supervising all U.S. Government activity in the host nation, with the exception of U.S. military activities under the direction and coordination of the combatant commander. Geographic combatant commanders routinely discuss issues of mutual interest and concern with the Chiefs of Mission in the command's AOR. The combatant commanders negotiate

force protection arrangements with the Chiefs of Mission as appropriate. If confirmed, I intend to maintain close coordination and contact with the Chiefs of Mission throughout the SOUTHCOM AOR, and I will continue to host annual subregional conferences with the Chiefs of Mission to exchange perspectives and gain regional insights.

MAJOR CHALLENGES

*Question.* If confirmed as the Commander of SOUTHCOM, you will be responsible for all military operations in that region. These include operations supporting homeland defense and security, counternarcotics efforts in source and transit countries, responses to natural disasters, detainee and interrogation operations at Guantanamo Bay, and the development of democratic values within the militaries of the region, among others. At the same time, DOD is currently considering how to absorb reductions in planned programs through fiscal year 2021 as a result of the discretionary spending caps enacted through the Budget Control Act of 2011 (P.L. 112–25).

In your view, what are the major challenges and problems you would confront if confirmed as the next Commander of SOUTHCOM?

Answer. I do not see any traditional military threat emanating from SOUTHCOM's AOR. Instead, the region is characterized by several nontraditional security challenges, including illicit trafficking, transnational organized crime, narco-terrorism, and violent extremist organizations. Persistent vulnerability to natural disasters such as earthquakes, hurricanes, flooding, and volcanoes, as well as socio-economic stratification, poverty, and inequality, are enduring challenges. Additionally, the security of the Panama Canal is of critical importance to U.S., regional, and global economic security.

The illicit trafficking of cocaine, precursor chemicals, weapons, and bulk cash is a major security issue affecting almost every country in the region. As the principal actors involved in illicit trafficking, transnational criminal organizations' reach, spreading power, and growing influence are also a concern, particularly in Central America and Colombia. Criminal activities and illicit trafficking operations weaken legitimate governmental and financial institutions and erode rule of law through corruption, bribery, and intimidation. Rampant impunity, coupled with the activities of violent drug traffickers and youth gangs, is contributing to rising criminal violence in many countries.

Although weakened, groups like the Fuerzas Armadas Revolucionarias de Colombia (FARC) and Sendero Luminoso in Peru continue to fund their insurgencies through narcotics trafficking, terrorizing populations and undermining domestic and regional stability. Violent extremist organizations are also present in the region, primarily involved in proselytizing and fundraising for parent organizations; of constant concern are the potential for evolution in operational capacity and increased radicalization of these groups. Some supporters of international terrorist groups like Hezbollah and Hamas raise funds through illicit activities in the region, such as trafficking in drugs and counterfeit goods, document fraud, and money laundering. The possible convergence of criminal and asymmetric threats bears watching to ensure the forward defense of the United States.

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

Answer. If confirmed, I will work with U.S. interagency and partner nations to enhance our collective ability to confront shared security challenges. Although resources across the U.S. Government are declining, there has not been a corresponding reduction in security concerns, which underscores the need for collaboration and coordination. The complex and irregular challenges in the region cannot be solved by any one nation or U.S. Federal agency; they require enhanced cooperation and enduring partnerships. I will continue to evaluate, assess and execute SOUTHCOM's support to efforts by other U.S. agencies and nations in the region to counter transnational organized crime and illicit trafficking. I will continue to engage with militaries and security forces in the region; as appropriate, I will encourage bilateral and multilateral training, security cooperation activities, and exercises to build the capacities of nations to address transnational threats such as illicit trafficking and humanitarian crises and disaster response. Additionally, I will continue to reach out to those militaries in countries that have distanced themselves from the United States, to demonstrate the enduring values and vision of the United States. I will also deepen our engagement with key strategic partners such as Brazil, Chile, and Colombia to promote shared responsibility in regional and global leadership. I will continue to ensure the safe, humane, and legal treatment of detainees at JTF-Guantanamo, until otherwise directed. Finally, if confirmed, I will

maintain focus on the detention facility in Guantanamo Bay to ensure all laws, regulations, and policies are followed, until otherwise directed.

ENGAGEMENT POLICY

*Question.* One of the central pillars of our national security strategy has been military engagement as a means of building relationships around the world. Military-to-military contacts, joint combined exchange training exercises, combatant commander exercises, humanitarian assistance operations, and similar activities are used to achieve this goal.

If confirmed, would you support continued engagement activities of the U.S. military in the SOUTHCOM AOR? If yes, would you advocate for expanding U.S. military-to-military engagement? If not, why not?

Answer. If confirmed, I would support continued engagement activities by the U.S. military in the SOUTHCOM's AOR. The new Defense Strategic Guidance explicitly calls for agile, small footprint, innovative approaches to ensuring U.S. national security through annual exercises, rotational presence, and advisory roles. Furthermore, DOD is placing greater emphasis on security cooperation and strengthening security partnerships with key partners, to include the Americas. As an economy of force, SOUTHCOM is representative of this new model called for by DOD, utilizing small-footprint engagements and an innovative, partnered approach to achieving strategic objectives in the region and advancing a common security vision of the future. If confirmed, I will continue to seek opportunities to strengthen existing partnerships and foster regional cooperation through agile engagement activities. I will also deepen U.S. engagement with key partners such as Colombia, Chile, and Brazil—countries that have demonstrated growing military capabilities and a commitment to work cooperatively in Central America, Africa, and across the world—to promote the shared costs and responsibilities associated with regional and global leadership.

*Question.* In your opinion, how do these activities in the SOUTHCOM AOR contribute to U.S. national security?

Answer. As stated above, many of the challenges in the SOUTHCOM AOR are transnational in nature, transcending borders, boundaries, and domains. Security threats such as illicit trafficking and the spread of transnational organized crime in the region cannot be solved by any one nation or agency; these threats require cooperation and willing, capable partners who can help the United States meet the security challenges of the future. Security cooperation in the SOUTHCOM AOR strengthens the capacities of partner nations to respond to domestic and regional threats, both individually and collectively, and also helps sustain a peaceful and cooperative international order.

In my opinion, working with and through regional partners helps ensure the forward defense of the United States by promoting capable regional militaries that share in the responsibility of ensuring hemispheric security and stability. This type of smart engagement will be even more important as we enter into an era of constrained resources; a cooperative, partnered approach not only helps ensure U.S. national security interests, it also helps contribute to U.S. economic security by promoting capable partners willing and able to help the United States confront the security challenges in the hemisphere.

BUILDING PARTNER CAPACITY

*Question.* In the past few years, Congress has provided DOD a number of temporary authorities to provide security assistance to partner nations, including the global train and equip authority ("section 1206") and Global Security Contingency Fund.

What is your understanding of the purpose of the section 1206 global train and equip authority and Global Contingency Security Fund?

Answer. I understand that section 1206 authority enables combatant commanders, in coordination with U.S. Ambassadors in host nations in which 1206 activities are proposed, to build the host nation's capacity by rapidly training and equipping their armed forces to conduct counterterrorism or stability operations against urgent or emerging threats. As I understand it, the Global Contingency Security Fund is a new initiative established by the Departments of State and Defense and authorized by Congress to encourage joint, integrated planning by pooling resources. The fund can provide up to $250 million to meet emergent challenges or opportunities in security and justice sector assistance to partner countries. The fund is designed to be a temporary assistance mechanism to address emerging U.S. national security priorities, and will not be used to supplement existing programs or for projects that lack funding due to earlier prioritization. As I understand it, de-

tailed reporting structures and procedures for implementation are being developed to address the specifics of the congressional legislation.

*Question.* In your view, what should be our strategic objectives in building the capacities of partner nations in the SOUTHCOM AOR?

Answer. In my view, the strategic objectives of building partner capacity are to increase the capability of militaries in the region to address security challenges and threats within their own territories; to promote regional cooperation among and between partner nations to address shared challenges to hemispheric stability and security; and to advance a common security vision of the future and promote a peaceful, cooperative international order.

USE OF MILITARY FORCES FOR CIVILIAN LAW ENFORCEMENT

*Question.* Throughout the Western Hemisphere, there is increased use of militaries to conduct policing and public security roles.

Putting aside issues of corruption and capabilities, what is your assessment of this trend? In your view, are these permanent shifts or temporary measures taken while the capabilities of police forces are improved?

Answer. As I understand it, some countries—particularly in Central America, where law enforcement institutions face many challenges—are deploying their militaries in nontraditional policing and internal security roles to help address growing threats to citizen security and stem the rising tide of illicit trafficking and counter the spread of transnational organized crime. I believe these are and should be temporary measures that are taken while the capabilities of civilian police forces are improved and the judicial sector is strengthened, roles in which the Department of State is the lead U.S. Federal agency.

*Question.* In your view, what are the benefits and risks of militaries taking on more public-security tasks?

Answer. As I understand it, regional militaries provide support to law enforcement that are involved in efforts to counter illicit trafficking, stem the rising tide of violence related to gangs and violent drug traffickers, and counter the spread of transnational organized crime. In Central America, these challenges are threatening to overwhelm the capacities of some regional law enforcement. Regional militaries are helping fill a crucial capability gap, but this approach is unsustainable in the long term. As militaries take on more public-security tasks, there is a potential risk for increased human rights violations or increased corruption in the military ranks. I understand that SOUTHCOM has a robust human rights initiative program, which plays a critical role in ensuring that regional militaries involved in internal security missions retain respect for human rights and civilian authority. If confirmed, I will ensure continued engagement with regional militaries on the importance of human rights.

DEFENSE STRATEGIC GUIDANCE

*Question.* The Defense Strategic Guidance, "Sustaining U.S. Global Leadership: Priorities for the 21st Century Defense", announced by President Obama on January 5, 2012, includes, among other things, the intention of the administration and the Pentagon to "rebalance toward the Asia-Pacific region". In his associated remarks, Secretary Panetta explained that the "U.S. military will increase its institutional weight and focus on enhanced presence, power projection, and deterrence in Asia-Pacific."

What do you anticipate will be the impact on the operations and activities of SOUTHCOM?

Answer. If confirmed, I do not anticipate a negative impact to the command due to the increased emphasis on other regions. As the U.S. drawdown in Iraq and Afghanistan continues, I believe there will be more U.S. military assets available to the geographic combatant commands, including ISR, maritime platforms, and other Service-specific capabilities. As I understand it, SOUTHCOM faces limited and steadily decreasing availability of surface and air assets to conduct detection and monitoring and support interdiction operations. As currently allocated to SOUTHCOM, limited assets permit the targeting of only 33 percent of actionable illicit trafficking events. If confirmed, I will work closely with the Services to advocate for available assets to enable SOUTHCOM to more effectively meet its title 10 requirements. The U.S. Army's new plan to designate regionally aligned forces with each regional combatant command is a promising approach that would significantly enhance SOUTHCOM's ability to conduct its mission. If confirmed, I will work with the Services to identify emerging and available opportunities to enhance the operations and activities of SOUTHCOM.

DOD COUNTER-NARCOTICS ACTIVITIES

*Question.* DOD serves as the single lead agency for the detection and monitoring of aerial and maritime foreign shipments of drugs flowing toward the United States. On an annual basis, DOD's counternarcotics (CN) program expends approximately $1.5 billion to support the Department's CN operations, including to build the capacity of U.S. Federal, State, and local law enforcement agencies, and certain foreign governments, and provide intelligence support on CN-related matters and a variety of other unique enabling capabilities. Much of this funding is directed towards the SOUTHCOM AOR.

In your view, what is the appropriate role of DOD—and by extension SOUTHCOM—in U.S. counterdrug efforts?

Answer. I believe the Department's current role is appropriate. SOUTHCOM can provide unique support only through U.S. and partner nation drug law enforcement agencies. This ensures that the U.S. military does not find itself in a law enforcement role, yet maximizes the support to law enforcement agencies' interdiction operations. As outlined in title 10 of the U.S. Code, DOD is the lead Federal agency in the detection and monitoring of aerial and maritime transit of narcotics destined for the United States. DOD also provides logistical and intelligence support to U.S. law enforcement end-game operations. SOUTHCOM accomplishes this mission through its component Joint Interagency Task Force-South (JIATF-South). SOUTHCOM also works to build the capacities of partner nation militaries to conduct successful detection, monitoring, and interdiction operations in support of U.S. and partner nation law enforcement efforts. These efforts complement other U.S. counterdrug programs, such as the Department of State's eradication and alternative economic development programs and the Drug Enforcement Agency's (DEA) arrest, extradition, and prosecution of illicit traffickers.

*Question.* How would you rate the effectiveness of U.S. and DOD counternarcotics programs?

Answer. As I understand it, DOD counternarcotics programs are effective both operationally and in terms of return on investment. In 2010, JIATF-South supported the interdiction of 8 times the amount of cocaine than was interdicted on the U.S. southwest border, at a third of the cost and in an operating area that covers 42 million square miles. Challenges remain, however. Illicit traffickers are, by their very nature, highly adaptive, flexible, and resourceful. In response to U.S. counternarcotics successes, they can quickly shift methods and employ new routes to evade detection. These criminal networks also have the resources to invest in technologically advanced conveyances such as semi and fully submersibles, which can transport up to 8 metric tons of cocaine and are extremely difficult to detect in open water. To counter this adaptive, networked threat, U.S. counternarcotics programs must be more flexible, innovative, and synchronized. Additionally, demand reduction efforts also play a critical part in the effectiveness of the overall program. If confirmed, I will regularly assess and evaluate ways to improve SOUTHCOM's role and contributions to U.S. counternarcotics programs.

*Question.* In your view, what should be the role of the United States in countering the flow of narcotics to nations other than the United States?

Answer. In my view, the United States should work to build the capacity of partner nations to counter illicit trafficking, both individually and collectively, through a whole-of-government approach in all domains and flow vectors.

*Question.* How would you recommend that the success of the SOUTHCOM's counter-narcotics programs be measured?

Answer. No single metric can gauge the overall success of a counternarcotics program that encompasses diverse elements from both U.S. and international governments. As the lead Federal agency for detection and monitoring, DOD's corresponding responsibility is the successful detection of illicit drug activity and, as appropriate, the support of U.S. law enforcement endgame operations. I understand that in 2011, SOUTHCOM's JIATF-South conducted successful counterdrug operations that resulted in the disruption of 117 metric tons of cocaine, denying illicit traffickers approximately $3 billion in revenue. In addition, SOUTHCOM provides ongoing training to partner nations' militaries and logistical support to partner nation and U.S. law enforcement agencies, which enhances overall counternarcotics capabilities. While these efforts are only a portion of a comprehensive whole-of-government program, they do demonstrate the positive impact SOUTHCOM is making on U.S. and regional counternarcotics efforts.

*Question.* The use of the Caribbean as a transshipment point for illicit drugs from South America to the United States has diminished over the past decade as drug traffickers have shifted primarily to using the Mexico-Central America corridor.

What is your understanding of the current status of drug transshipment through the Caribbean?

Answer. As I understand it, there have been substantial decreases in illicit maritime and air tracks from South America into the Caribbean, most notably into the Dominican Republic, due to sustained interdiction successes by the United States and partner nations and a corresponding shift in illicit trafficking tactics. However, its geographic proximity to the United States and vast stretches of porous maritime borders ensures that illicit trafficking in the Caribbean remains a persistent challenge. Given the demonstrated adaptability of illicit traffickers, I think it is important to continue strengthening the counter illicit trafficking capabilities of militaries in the Caribbean as a preventative measure to ensure traffickers do not shift back to the Caribbean as a primary transshipment zone.

NATIONAL STRATEGY TO COMBAT TRANSNATIONAL ORGANIZED CRIME

*Question.* Criminal networks are not only expanding their operations, but they are also diversifying their activities, resulting in a convergence of transnational threats that has evolved to become more complex, volatile, and destabilizing. The Director of National Intelligence recently described transnational organized crime as "an abiding threat to U.S. economic and national security interests," and stated that "rising drug violence and corruption are undermining stability and the rule of law in some countries" in the Western Hemisphere. In July 2011, the President released his Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security. One of the priority action areas designated in the strategy is "enhancing DOD support to U.S. law enforcement."

What is your assessment of the threat to the United States posed by transnational organized crime?

Answer. As I understand it, transnational organized crime has evolved into a volatile and potentially destabilizing threat to regional, international, and U.S. national security. The illicit activities and operations of this adaptive, networked threat undermine legitimate governmental and financial institutions, erode rule of law, weaken governance, and threaten citizen security through corruption, penetration of government institutions, and associated violence. Of primary concern for U.S. national security is the potential convergence of criminal and asymmetric threats. Groups in Colombia and Peru fund their ongoing insurgencies through illicit trafficking, while international terrorist groups like Hezbollah and Hamas receive an unknown portion of funding from supporters involved in drug trafficking and money laundering. Increasingly, these criminal networks have diversified their illicit enterprises—trafficking in drugs, precursor chemicals, weapons, humans, and bulk cash—and are increasingly involved in cybercrimes. The size, scope, and reach of transnational organized crime far surpasses the ability of any one law enforcement agency or nation to confront this threat alone.

*Question.* What is your understanding of the President's strategy to combat transnational criminal organizations?

Answer. As I understand it, the President's strategy aims to build, balance, and integrate the tools of American power to combat transnational organized crime and related threats to U.S. national security to ensure the threat is degraded to a manageable public safety problem. The President's strategy outlines five key objectives: protect Americans from harm, violence, and exploitation by transnational criminal networks; help partner nations strengthen governance and sever state-crime alliances; break the economic power of transnational criminal networks and protect the United States and other strategic markets; defeat those networks that pose the greatest threat to national security by targeting their infrastructure, depriving them of enabling means and preventing the criminal facilitation of terrorist activity; and build international consensus and cooperation to defeat transnational organized crime.

*Question.* What role does SOUTHCOM play in combating transnational organized crime and in training and equipping partner security forces that have been tasked with combating it?

Answer. As I understand it, the SOUTHCOM role is one of support. With the exception of fulfilling the statutory responsibility as the lead agency for detection and monitoring of aerial and maritime transit of illegal drugs, DOD plays a supporting role in all counternarcotics and other related efforts. SOUTHCOM supports efforts by lead U.S. agencies such as the Department of State, Department of Homeland Security, and Department of Justice to combat transnational organized crime in the region through detection and monitoring efforts; support to U.S. and partner nation interdiction operations; and by building the security capacities of vetted military units through counternarcotics training, equipping, and infrastructure support.

*Question.* What kind of additional support, if any, would you envision DOD—and SOUTHCOM in particular—providing to U.S. law enforcement?

Answer. In my opinion, this particular challenge highlights the different but not incompatible roles between military and law enforcement, further underscoring the imperative of security partnerships. SOUTHCOM provides ongoing support to U.S. law enforcement end-game interdiction operations, including intelligence and logistical support to the DEA, the Federal Bureau of Investigation (FBI), and U.S. Customs and Border Protection, among others. If confirmed, I would work with U.S. law enforcement and the interagency to identify how we could enhance current levels of support, such as network analysis, information sharing, or lift capabilities, while maintaining the distinction between direct military support and support to law enforcement agencies.

*Question.* What gaps, if any, do you see in U.S. efforts to support partner government's efforts against these violent and increasingly sophisticated criminal organizations?

Answer. As I understand it, this is a complex problem with no single, simple solution; combating an adaptive, networked threat such as transnational organized crime will require a strong unity of effort, both within the U.S. Government and by partner nations. I understand the U.S. interagency, including DOD, is working diligently to better synchronize and coordinate efforts to combat transnational organized crime, particularly in the Western Hemisphere. In my opinion, effectively combating this threat will take concerted collaboration between the United States and partner nations. It will take sustained engagement with regional militaries—building the capacities of key vetted units, defense, and security institutions, and continuing human rights training—and a corresponding strengthening of civilian law enforcement institutions. It will take innovative approaches, creative public-private collaboration, and synchronization of efforts between numerous U.S. Federal agencies—the Department of State, U.S. Northern Command, U.S. Agency for International Development (USAID), DEA, and the Department of Homeland Security, as well as numerous partner nation institutions—to create a cooperative network that is stronger and more resilient than any criminal network.

CENTRAL AMERICAN SECURITY STRATEGY

*Question.* Security and defense officials from El Salvador, Guatemala, and Honduras—the so-called Northern Triangle—recently reviewed progress made toward implementation of the Central American Security Strategy those countries approved in June 2011. The ministers of security and defense agreed to improve coordination mechanisms and intelligence sharing; continue with proposals for a tri-national police force; and that the Armed Forces should be involved in combating organized crime.

In your view, how effective is security coordination among El Salvador, Guatemala, and Honduras?

Answer. As I understand it, security coordination among the Northern Tier countries is improving, thanks in part to the new multilateral security strategy developed by the Central American Integration System (SICA), supported by the Department of State through the Central American Regional Security Initiative (CARSI). I also understand that these three countries are providing important contributions in support of Operation Martillo, a U.S. and European-led operation currently underway in the Central America littorals. I understand that one of the indirect benefits of the operation has been increased interoperability and enhanced levels of coordination among participating partner nations. If confirmed, I would continue to build on these types of successes.

*Question.* Is SOUTHCOM supporting these efforts or State Department efforts such as the CARSI?

Answer. Yes. As I understand it, SOUTHCOM is supporting efforts by the Department of State through CARSI, primarily by supporting the disruption of movement of criminals and contraband to, within, and from Central America and by fostering enhanced levels of regional cooperation. I also understand that SOUTHCOM, in conjunction with U.S. Northern Command, is supporting a Border Security Initiative between Guatemala, Belize, and Mexico to strengthen security cooperation among these three countries.

*Question.* What are the pros and cons of deploying the U.S. Armed Forces to combat organized crime?

Answer. In my view, the U.S. military is clearly in a supporting role in this effort. Through training, exercises, and security cooperation activities, the U.S. military can help build the capacities of partner nation militaries to counter transnational organized crime and illicit trafficking by increasing domain awareness, strength-

ening interdiction capabilities, and promoting regional cooperation. The U.S. military can also directly support other U.S. agencies by providing operational, planning, and logistic support, as well as support to U.S. and partner nation law enforcement end-game operations through logistical assistance and information sharing.

*Question.* Is SOUTHCOM providing any assistance in policing activities to the militaries in the region?

Answer. My understanding is that SOUTHCOM provides security assistance to vetted military units in Central America with the aim of building the capacities of regional militaries in areas such as counternarcotics, humanitarian assistance and disaster relief, and peace support operations. Some partner nation militaries that have been recipients of U.S. security assistance—such as counternarcotics training or subject matter expert exchanges—may be later deployed by the partner nation in a new mission, such as policing activity.

*Question.* Is SOUTHCOM engaged in any efforts to strengthen the region's civilian security forces?

Answer. My understanding is that the Department of State, Bureau of International Narcotics and Law Enforcement (DOS–INL) is the lead Federal agency in this endeavor. In Central America, neither Panama nor Costa Rica has a standing military, and SOUTHCOM does conduct training and security assistance with their respective defense and security forces. Engagements such as Joint Combined Exchange Training (JCET), which provides training to U.S. and host nation security forces, can provide indirect benefit to civilian law enforcement personnel, such as first responders, who may be participating in the exercise.

COUNTER THREAT FINANCE

*Question.* A number of officials in DOD and the Intelligence Community have called for investing additional resources in identifying and tracking the flow of money associated with terrorist networks and illicit trafficking.

What are your views on the role of DOD in counter threat finance activities?

Answer. In my view, in accordance with the DOD Directive 5205.14 on counter threat finance policy, DOD should use its unique capabilities, such as network analysis, to support the interagency and work with partner nations to deny, disrupt, and degrade the ability of adversaries' ability to use global and illicit financial networks to negatively affect U.S. interests.

*Question.* What do you believe is the appropriate role, if any, of SOUTHCOM in supporting counter threat finance activities?

Answer. As I understand it, the intertwined systems of illicit trafficking and money laundering in the region can benefit both illicit traffickers and international terrorists alike. In South America, funding for Hezbollah is raised through licit avenues, such as charitable donations, and illicit means, including trafficking in drugs, counterfeit, and pirated goods and money laundering. Illicit proceeds from drug trafficking are increasingly entered into the global financial system, often under the use of legitimate trade. I understand that JIATF-South has a counter threat finance cell that is supporting efforts by DEA and Treasury Department to better understand the complex financial flows of the global illicit economy and combat money laundering and terrorist financing.

MEXICO

*Question.* Much of the illegal narcotics supply comes into Mexico from the SOUTHCOM AOR. While Mexico is in the U.S. Northern Command AOR, the rest of Latin America is in the SOUTHCOM AOR.

What is your vision of how SOUTHCOM and NORTHCOM could work together in a fully coordinated effort with respect to Mexico and other security challenges?

Answer. The continued violence in Mexico and the spread of Mexican criminal organizations into Central America is extremely concerning for both commands. I am told that the staffs of SOUTHCOM and U.S. Northern Command collaborate regularly to address this and other security issues, especially along the Mexico-Guatemala-Belize border and in JIATF-South's Joint Operating Area, which crosses both commands' areas of responsibility. I understand that there are liaison officers at both commands to ensure daily collaboration; that the staffs closely coordinate efforts of mutual interest on monthly teleconferences; and that senior command leaders hold quarterly staff talks. If confirmed, I will continue to support this coordination and seek additional ways to foster collaboration between the Mexican and Central American militaries to encourage cooperation on shared security challenges, including illicit trafficking and transnational organized crime.

TERRORISM THREAT FROM CARIBBEAN AND CENTRAL AMERICA

*Question.* In your view, what is the extent of the current threat of terrorist extremists from the Caribbean and Central America?

Answer. As I understand it, violent extremist organizations are present in the Caribbean and Central America, but their activities are generally focused on fundraising and proselytizing. While terrorism emanating from the region is rare, the potential presence of individuals with operational terrorism experience is a cause for concern. If confirmed, I will keep SOUTHCOM vigilant to detect and defend against terrorist threats to the United States and our partners.

*Question.* How would you broadly characterize the terrorism threat—low, medium, or high?

Answer. I understand that violent extremist organizations are active in the region, primarily focused on fundraising support and proselytizing. Hezbollah supporters, primarily in South America, are involved in both legal and illegal businesses that help fund the parent organization; illegal activities include the illicit trafficking of drugs and counterfeit goods, document forgery, and money laundering. Additionally, as described above, homegrown radicalization is a constant concern, as is the potential presence of individuals with operational knowledge seeking to do harm to the United States or our interests. For that reason, I would characterize the threat as low to medium.

INTERAGENCY COLLABORATION

*Question.* The collaboration between U.S. Special Operations Forces, general purpose forces, and other U.S. Government departments and agencies has played a significant role in the success of counterinsurgency and counterterrorism operations in recent years. However, much of this collaboration has been ad hoc in nature.

What do you believe are the most important lessons learned from interagency collaboration on counterinsurgency and counterterrorism operations in Afghanistan, Iraq, and elsewhere?

Answer. In my opinion, military and civilian organizations learned to better leverage one another's strengths and capabilities over the past decade of military operations, despite institutional barriers to cooperation such as policy gaps, differences in resources and organizational culture, and inconsistent interagency participation in planning, training, and operations. Military and civilian organizations both recognized the need to improve integration and took deliberate steps to achieve greater unity of effort in operations in Iraq and Afghanistan. The military also gained a greater understanding of the capabilities of nongovernmental organizations (NGO), especially in terms of understanding the population in the host country, and made a concerted effort to better coordinate stabilization efforts wherever possible with NGOs on the ground in Iraq and Afghanistan.

*Question.* How do you believe these efforts can be improved?

Answer. I think the most important initial effort is to ensure the United States does not forget these lessons; these collaborative "best practices" need to be institutionalized in both the military and civilian agencies through ongoing training, education, exercises, as well as the development of policies to ensure greater involvement of the interagency in planning, training, and execution of military activities. The lack of mandated interagency coordination and framework was particularly challenging for the U.S. Government as a whole.

*Question.* How can the lessons learned in recent years be captured in military doctrine and adopted as "best practices" for future contingency operations?

Answer. The U.S. military is taking concrete steps to capture "lessons learned," through formal studies, reviews, and analysis within and across each of the Services. Correctly identifying and documenting best practices employed in the past decade of war will enable the U.S. military to build a more responsive, versatile, and adaptive force. Once identified, documented, validated, and reviewed, these lessons will be incorporated into the continuous joint force development cycle and institutionalized in the professional military education of our joint forces.

*Question.* As DOD assistance to Colombia gradually declines, DOD aid to Mexico and Central America appears to be increasing. This increased assistance has supported State Department-led programs such as the Mérida Initiative and the CARSI.

What is your assessment of the current level of coordination between DOD and civilian agencies in SOUTHCOM's AOR?

Answer. As I understand it, DOD and civilian agencies coordinate very effectively, both in the SOUTHCOM AOR and within the command headquarters. There are 33 interagency representatives integrated into the SOUTHCOM headquarters staff, allowing the command to capitalize on in-house expertise and align engagement ac-

tivities with interagency frameworks, programs, and activities. Military Groups, mostly colocated in U.S. Embassies, in the region work side-by-side with civilian counterparts from various U.S. agencies to ensure seamless execution of U.S. activities in the host nation. I understand there is routine discussion and coordination between senior leaders from SOUTHCOM, USAID, and the Department of State, Bureau of Western Hemisphere Affairs. Finally, I am told that the Department of State convenes a monthly executive committee to ensure interagency coordination of activities in support of CARSI, which has significantly helped synchronize and deconflict DOD and interagency programs.

*Question.* If confirmed, how would you work to ensure that DOD efforts in your AOR complement the efforts of civilian agencies?

Answer. If confirmed, I will continue to strengthen this coordination. I will also conduct periodic assessments of SOUTHCOM's activities to identify areas for improving synchronization of efforts between SOUTHCOM and civilian agencies, while also engaging with counterparts at the Department of State and other interagency entities to identify new areas for collaboration or needed improvements.

CUBA

*Question.* What is your view of the need to review and, potentially, revise U.S. policies regarding Cuba?

Answer. I think all U.S. policy, including our policy toward Cuba, should be periodically reviewed. If confirmed and so directed, I will be ready to implement any changes to U.S. policy.

*Question.* What is your opinion about the need for, and the pros and cons of, military-to-military contact with Cuba?

Answer. I think military-to-military engagement with any nation's armed forces, consistent with U.S. laws and policies, is valuable. As I understand it, under current Helms-Burton legislation, any significant U.S. military engagement with Cuba must be met with Cuban willingness to discuss defense policy; military subordination to democratically-elected leadership; and military disengagement from domestic economic policy. Presently, the only military-to-military contacts between the United States and Cuba are administrative "fence-line" meetings conducted by the Commanding Officer, U.S. Naval Station Guantanamo Bay, and his Cuban military counterparts. If confirmed, I will continue to assess the value of military engagement with Cuba, in accordance with U.S. law and policy.

*Question.* The United States and Cuba have cooperated on anti-drug efforts for over a decade, with a U.S. Coast Guard Drug Interdiction Specialist stationed at the U.S. Interest Section in Havana. Coast Guard officials have also engaged with Cuban officials regarding oil spill prevention, planning, and response issues under the auspices of the International Maritime Organization.

How would you characterize the current state of U.S. counternarcotics cooperation with Cuba?

Answer. I understand that the United States and Cuba have maintained the same level of limited counterdrug cooperation over the past few years. The Cuban Border Guard maintains an active presence along Cuba's coastal perimeter, primarily to deter illegal emigration, but also to conduct maritime counter-drug operations and coastal patrols. The U.S. Coast Guard shares tactical information related to narcotics trafficking and responds to information provided by Cuba on vessels suspected of smuggling drugs through Cuban territorial waters.

*Question.* What is your view regarding increased counternarcotics cooperation with Cuba—should it be increased, and if so in what ways?

I understand that Cuba continues to maintain that it wants to cooperate with the United States to combat drug trafficking, and that in 2011 Cuba presented the U.S. Government with a draft bilateral agreement for counternarcotics cooperation that is still under review. If confirmed, I will continue to periodically assess the value of counternarcotics cooperation with Cuba, in accordance with current U.S. law and policy.

VENEZUELA

*Question.* U.S.-Venezuelan relations have continued to be strained as President Chavez continues to propagate anti-American rhetoric, import increasing amounts of military armament, politicize the Venezuelan military forces, traffic illegal narcotics throughout the region, and export his brand of populism to the region.

What is your view of President Chavez's intentions in the region?

Answer. I think President Chavez has sought to establish Venezuela as the leader of a broad anti-U.S. populist movement with like-minded countries in the region.

*Question.* What is your understanding of the current state of military-to-military relations between the United States and Venezuela?

Answer. My understanding is that military-to-military relations with Venezuela are minimal, despite SOUTHCOM's efforts to maintain interaction and dialogue with the Venezuelan military. SOUTHCOM invites Venezuela military personnel to international and regional military forums, but no invitation has been accepted. JIATF-South maintains an open position for a Venezuelan liaison officer; however, for several years, Venezuela has chosen to leave the position unfilled. If confirmed, I will continue to seek engagement opportunities with the Venezuelan military, in accordance with U.S. policy.

*Question.* How would you assess Venezuelan relations with China, Cuba, Iran, and Russia vis-a-vis the national interests of the United States?

Answer. I think Venezuela has strengthened its bilateral ties with Cuba, China, Iran, and Russia over the past few years. Venezuela's relationship with China is based primarily on economics, as Venezuela is a leading provider of petroleum exports to China. Cuba relies on Venezuela for subsidies, and President Chavez has a longstanding relationship with Fidel Castro. Iranian President Ahmadinejad has an especially strong personal relationship with President Chavez; the two leaders have signed numerous agreements in areas such as energy, finance, technology, and military cooperation. Venezuela's relationship with Russia is primarily centered on arms sales; last year, Venezuela became the largest importer of Russian arms in the world. If confirmed, I will monitor developments in Venezuelan relations closely, particularly as they relate to U.S. national security interests.

*Question.* What is your assessment of the current role of Venezuela as a drug transit country?

Answer. I understand that Venezuela is a major drug transit country for cocaine shipments by air, land, and sea. The Department of State has noted that Venezuela's porous borders, weak judicial system, inconsistent counternarcotics cooperation, and corrupt political environment have made Venezuela one of the preferred trafficking routes for cocaine departing South America, destined for the Caribbean, Central America, the United States, western Africa, and Europe.

*Question.* What is your understanding of the extent to which Venezuelan Government or military forces are involved in the drug trade?

Answer. My understanding is that there are widespread allegations of Venezuelan Government and military involvement in the drug trade, and that last year the U.S. Government designated four Venezuelan officials under the Foreign Narcotics Kingpin Act—identical to the 2008 designation of General Henry Rangel Silva, the new Minister of Defense—for supporting the FARC's narcotics and arms trafficking.

*Question.* What is your understanding of U.S.-Venezuelan cooperation on counternarcotics efforts, including any cooperation between the U.S. and Venezuelan militaries?

Answer. My understanding is that U.S.-Venezuelan cooperation on counter-narcotics efforts is limited and occurs only on a case-by-case basis, as a result of Venezuela's decision to reduce bilateral contact and formal cooperation with the United States. In 2005, the Venezuelan Government ceased formal cooperation with the Drug Enforcement Administration, and Venezuelan law enforcement authorities have not participated in U.S. counternarcotics training programs since 2009. As I understand it, limited cooperation consists mainly of coordination of fugitive deportations from Venezuela to the United States and the U.S. Coast Guards' maritime interdiction activities.

BRAZIL

*Question.* In recent years, Brazil has stepped up its counternarcotics efforts, increasing its border presence, and signing agreements with its neighbors to target trafficking in arms, drugs, and people. It has also been a major proponent of the South American Defense Council, which is designed to boost regional cooperation on security policies.

What is your understanding of Brazil's security role in South America and the broader region?

Answer. As I understand it, Brazil is seeking to take a greater leadership role in South America and the region as a whole, particularly on issues related to border, environmental, and cyber security. Brazil has deployed security forces to the Amazon to address illicit trafficking and deforestation, and is increasing its security cooperation with Africa. Last year, Brazil played an important role in facilitating improved trilateral counterdrug efforts with Bolivia and the United States.

*Question.* How would you assess U.S.-Brazil security cooperation?

Answer. As I understand it, the U.S. and Brazilian militaries cooperate on a number of issues, including counternarcotics, counterterrorism, disaster preparedness, humanitarian assistance, and aviation and port security. This year, the first-ever Defense Cooperation Dialogues were held between Brazil and the United States. The Secretary of Defense has indicated that the U.S. and Brazilian military will deepen cooperation on cyber security, science, innovation, and technology transfer, logistics, communications, humanitarian assistance and disaster response, and cooperation in support of African nations.

*Question.* If confirmed, how might bilateral security coordination be improved?

Answer. If confirmed, I will continue to build on the positive developments in U.S.-Brazil security cooperation, and will strengthen SOUTHCOM's engagement program with Brazil, focusing on areas for potential cooperation such as cyber, space, and environmental security. I will also continue to encourage Brazil to take on greater role in addressing regional security issues to encourage shared responsibility and a peaceful, cooperative international order.

PANAMA

*Question.* Panama is a major transit country for illicit drugs from South America because of its geographic location and because of the Panama Canal and associated containerized seaports.

What is your assessment of U.S.-Panamanian cooperation on counter-narcotics efforts?

Answer. My understanding is that Panama actively cooperates with the United States on counternarcotics efforts, to include supporting U.S. Coast Guard maritime operations; responding to interdiction cues from JIATF-South; collaborating with the Drug Enforcement Administration; and actively participating in and contributing to Operation Martillo, a Western Hemisphere and European partner nation effort that aims to shift maritime illicit trafficking away from the Central American littorals.

*Question.* In your view, how vulnerable is the Panama Canal to attack by non-state actors, and what would be the consequences of an attack to U.S. national security interests?

Answer. In my view, the Panama Canal is the most strategically important infrastructure in SOUTHCOM's AOR and is critical to regional, hemispheric, and global security. Freedom of movement in and strategic access through the Panama Canal is of utmost importance for U.S. national security interests; the United States is the destination or origin for approximately two-thirds of all the goods that pass through the canal. Approximately 5 percent of all global trade passes through the canal, a number that is expected to increase with the planned expansion. Any disruption of canal operations would create a significant impact on U.S., regional, and global economies.

As I understand it, the Government of Panama has primary responsibility for the canal's defense, but it is in the interest of all nations in the Western Hemisphere to support the Government of Panama, if so requested. Annually, SOUTHCOM conducts Panamax, a joint and combined training exercise with 17 participating partner nations that is focused on the defense of the Panama Canal. In my opinion, this type of engagement promotes regional cooperation on a security issue of utmost importance to both the United States and countries in the hemisphere.

FORWARD OPERATING LOCATIONS

*Question.* One of the elements of the regional counternarcotics strategy is SOUTHCOM's establishment of forward operating locations (FOL) and cooperative security locations (CSL) in the source and transit zone.

In your view, what is the role that these FOLs and CSLs play in the Department's counternarcotics efforts?

Answer. My understanding is that the CSLs in Curacao, Aruba, Antigua, and Comalapa, and the FOL—now called a FOS—in Soto Cano, Honduras, remain critical to the success of DOD detection and monitoring mission and support to law enforcement interdiction operations. As forward locations, CSLs and FOS' are geographically closer to the source and transit zones of South and Central America and the Caribbean, which helps increase the effectiveness of detection and monitoring operations by significantly reducing aircraft transit time to and from the suspected transshipment areas.

*Question.* In your view, does current use continue to justify the costs of sustaining these locations?

Answer. I think the cost of supporting the CSLs and FOS is justified. As mentioned earlier, JIATF-South successfully disrupted 117 metric tons of cocaine, denying illicit traffickers approximately $3 billion in revenue, at a third of the operating

cost than operations along the U.S. southwest border. In particular, the CSL in Comalapa and the FOS in Soto Cano are significant operational enablers to the continued successes of Operation Martillo. Access to and use of these locations ensures that operating costs remain comparatively low; without such access, operating costs would be significantly higher due to increased flight hours and number of aircraft required to accomplish the detection and monitoring mission.

*Question.* What assurances do we have from host nations that these locations will continue to be available to us, and under what conditions?

Answer. Beyond the current agreements, there are no assurances from any of the host nations. My understanding is that our relationships with the Dutch Government, the El Salvadoran Government, and the Honduran Government are strong, as these agreements are mutually beneficial to both the United States and host nation. If confirmed, I will support the continuation of these operating agreements.

ECUADOR

*Question.* The 2009 closing of the CSL at the air force base in Manta, Ecuador, and the ejection of the U.S. Ambassador to Ecuador in April of last year have stressed U.S.-Ecuadorian bilateral ties.

How would you characterize the current status of counter-narcotics cooperation between the United States and the Government of Ecuador?

Answer. Ecuador does receive U.S. counternarcotics assistance for training, equipping, and infrastructure support, as well as support to police operations and military operations on Ecuador's northern border with Colombia. As I understand it, Ecuador failed to sign an amendment to the bilateral letter of agreement for fiscal year 2010 Department of State International Narcotics Control and Law Enforcement (INCLE) funding, which has resulted in a significant loss of counternarcotics resources, as well as a decline in maritime cooperation in 2011.

SOUTHCOM'S MILITARY SERVICE COMPONENT COMMANDS

*Question.* Like all of the combatant commands, SOUTHCOM has military service component commands that implement the plans and policies of the combatant commander. Each of the component commands also has responsibility to the Services they represent. It seems SOUTHCOM, however, exercises limited command and control in directing specific activities and limited oversight of the activities of the component commands.

If confirmed, will you review the command and control relationship?

Answer. It is my understanding that SOUTHCOM, like all geographic combatant commands, exercises effective direction of component command activities and conducts rigorous oversight of planned activities, to include an annual review and validation to ensure alignment of strategic objectives and operational activities with the command's theater campaign plan. If confirmed, and as appropriate, I will review all command and control relationships to ensure continued mission effectiveness.

*Question.* SOUTHCOM does not have any assigned forces and—as a result—is required to compete for forces within the global request for forces process. Given the Department's focus on the greater Middle East and Asia-Pacific, do you believe the SOUTHCOM Commander will be able to secure the necessary personnel to accomplish its partnering and engagement mission within its AOR? If not, how would you assess the risk to U.S. strategic interests in the region?

Answer. As I understand it, SOUTHCOM does have minimal assigned forces, and as such relies heavily on the force allocation process. If confirmed, I will work diligently to ensure SOUTHCOM has the necessary personnel to accomplish its mission. The new regional alignment proposed by the U.S. Army is a promising opportunity that will be an enormous benefit to all the geographical combatant commands. I recognize that adjustments will be required as the United States enters into an era of constrained resources. In an economy of force theater, SOUTHCOM has long relied on innovative, small footprint approaches to accomplish its mission, which is an approach DOD has explicitly endorsed in its new Strategic Guidance. In my opinion, a foundation of partnership and routine engagement activities can avoid exponentially larger expenditures in the future; building, maintaining, and sustaining capable security partners is a wise investment to hedge against future security challenges, support a peaceful international order, and promote collective responsibility for shared threats.

COLOMBIA

*Question.* Plan Colombia has enabled the Colombian Government to make significant gains against the Revolutionary Armed Forces of Colombia (FARC) and other paramilitary forces in Colombia, as well as enabled the government to secure many

previously ungoverned areas. Since fiscal year 2000, the United States has provided more than $7 billion to support Colombia's efforts to counter the threat of transnational criminal organizations and various terrorist groups.

What are your views regarding the current situation in Colombia focusing upon: (1) the current military and political situation in Colombia; (2) the ability of the Colombian military to control its territory; and (3) ongoing DOD programs? If confirmed, what component of SOUTHCOM's activities in Colombia is of most importance to the United States?

Answer. In my opinion, Colombia has made enormous progress in its fight against narco-terrorists. I think it is important to note that DOD support to Colombia has been an enabler, not a provider, of Colombian security; Colombian political will and resources have been the key deciding factors in Colombia's successes; on average, U.S. assistance to Colombia has accounted for a mere 7 percent of the overall contributions made by Colombia to ensuring its internal security.

As I understand it, once on the brink of becoming a failed state, Colombia has effectively prosecuted its war against the FARC and other illegally armed groups and successfully applied a whole-of-government approach to strengthening rule of law, the judiciary, and social programs. FARC numbers have been significantly reduced; paramilitaries have disbanded; terrorist attacks have been reduced by 71 percent; homicides have been reduced by 45 percent, kidnappings by 90 percent, and cocaine production by 61 percent; and the Government of Colombia has established a presence in its 1,098 municipalities. Colombia has emerged as a strong, capable regional leader, sharing its security expertise and building the capacities of countries in Central America and Mexico.

President Santos continues to build on President Uribe's successes, but has also recognized that there is still progress to be made in consolidating these gains into permanent stabilization in every part of the country. Though weakened, the FARC still poses a threat to citizen security, primarily through its continued reliance on drug trafficking as a major source of income, as well as more recent efforts to branch into other illicit activities such as illegal gold mining, oil pipeline attacks, kidnapping, and extortion. The "criminal bands" (BACRIM), which are comprised of remnants of disbanded paramilitary groups now involved in drug trafficking, pose an emerging and evolving threat. Colombia recently unveiled a new counterinsurgency strategy that focuses on countering the FARC in 10 strategic areas of intersection between insurgent operations and the state's economic interests.

If confirmed, I will continue to sustain support to Colombia, which has proven to be one of our most important partners in the region in terms of organic capability and contributions to regional security efforts. SOUTHCOM programs that build the counterterrorism, counternarcotics, and counterinsurgency capabilities of the Colombian military will continue to be of importance as Colombia focuses its campaign to defeat the FARC and permanently sustain stabilization successes.

*Question.* In your view, is the Colombian Government capable of sustaining the last decade's gains during this economic downturn and the scheduled decline in U.S. security assistance?

Answer. Yes. Colombia has demonstrated enormous and sustained political will through a whole-of-government approach, and continues to do so with its shift to a new counterinsurgency strategy. Although U.S. security assistance has contributed to Colombia's successes, Colombia has spent more than $100 billion of its own funds to date on security efforts. While the current global economic downtown may have an impact, I believe Colombia is not only capable of, but also committed to, sustaining the gains they have made. If confirmed, I look forward to working with the Committee to continue U.S. support to Colombia.

*Question.* In light of budget conditions, do you believe continued U.S. security assistance to Colombia at the current levels is sustainable?

Answer. As I understand it, U.S. security assistance has declined significantly over the past few years as Colombia has taken a greater role in its internal security. Current U.S. assistance is approximately 4 percent of the total amount Colombia itself spends. I believe U.S. security assistance to Colombia remains extremely important in order to ensure Colombia sustains the enormous progress it has made over the past decade. More so than any partner in the region, Colombia demonstrates the enormous return on investment that U.S. efforts to build partner capacity can yield. If confirmed, I will encourage Colombia to continue taking a greater role in regional security efforts and help build the capabilities of other nations facing similar challenges.

*Question.* When the United States began providing increased support through Plan Colombia for efforts to significantly reduce or eliminate illegal narcotics trafficking organizations operating in their country, many expressed concern about the Colombian military's human rights record.

What is your assessment of the record of the Colombian military with regard to respect for human rights over the past 3 years?

Answer. I am told that the Colombian military is now one of the most respected institutions in Colombia and continues to make great strides to improve its human rights record. The Ministry of Defense established a comprehensive human rights and international humanitarian law program, and continues to implement measures on human rights developed in the aftermath of the 2008 "false positives" scandal. The Ministry has also begun to implement an agreement with the U.N. High Commissioner on Human Rights (UNHCHR) to monitor seven of those measures; this type of monitoring arrangement is the first and only one ever reached between UNHCHR and a military, an important testament to Colombia's commitment to protecting human rights. I understand that Colombian military personnel are required to receive mandatory human rights training at every stage of their military careers. The Colombian military continues to partner with civil society groups, universities, and international organizations to strengthen their human rights programs. These programs have been instrumental in reducing the number of human rights complaints against the Colombian military. Colombia continues to aggressively address human rights infractions and actively prosecutes and convicts military members accused of extrajudicial killings. Colombian officers are also sharing their human rights expertise with other nations, including Honduras, Dominican Republic, Panama, and El Salvador.

*Question.* What remains to be done and how would you approach the issue of respect for human rights in the Colombian military?

Answer. If confirmed, I will maintain the SOUTHCOM's Human Rights Initiative and ensure that respect for human rights is a key element of the U.S. military's interaction with Colombia.

*Question.* Over the past 4 years, U.S. assistance to Plan Colombia and its follow on plans has gradually declined as several counternarcotics and aviation programs have been turned over to Colombian control in a process of nationalization.

What are the remaining U.S. supported programs that will need to be continued to "lock in" the progress that has been made?

Answer. As described above, the Human Rights Initiative remains a critical component of support to Colombia. Additionally, counternarcotics and counterterrorism training will continue to play important roles in the U.S. whole-of-government approach to Colombia, as will appropriate levels of support through equipment, FMS, FMF, alternative development, community, and rule of law programs. Specifically, U.S. counternarcotics support ensures that we have a capable and willing partner in Colombia, which remains the single largest exporter of cocaine to the United States.

*Question.* In your assessment, what is the appropriate role of U.S. engagement in Colombia's security situation in the near-term, the medium-term, and the long-term?

Answer. I believe it is important to continue U.S. engagement with Colombia. Sustained engagement with Colombia has yielded a strong, capable partner that is providing significant contributions to regional security. As Colombia continues to make progress in its internal security situation, there will be other avenues of engagement on issues of mutual concern, including cyber defense and energy security. Earlier this year, Colombia and the United States signed an Action Plan on Regional Security Cooperation. Under this plan, Colombia and the United States will develop complementary security assistance programs and operational efforts to support hemispheric and international partner nations afflicted by effects of transnational organized crime. If confirmed, I will continue to support Colombia's progress and deepen our existing partnership, seeking new opportunities to collaborate issues of mutual interest.

*Question.* Together Colombia, Peru, and Bolivia produce nearly all of the world's supply of cocaine. In recent years, progress in controlling cocaine production in Colombia seems to be resulting in an increase in cocaine production in Peru and Bolivia.

If confirmed, what would be your plan to prevent further cocaine production increases in Peru and Bolivia without losing the progress made in Colombia?

Answer. My understanding is that U.S. agencies such as the Department of State (Bureau of International Law Enforcement), USAID, and the DEA are the lead U.S. agencies in combating cocaine production, including eradication efforts and alternative development programs. If confirmed, I would sustain support to the Colombian military, strengthen current engagement initiatives with Peru, and continue outreach to the Bolivian military on the issue of counternarcotics.

*Question.* The Colombia Strategic Development Initiative (CSDI) which aligns U.S. assistance with Colombia's National Consolidation Plan accounts for an increasing portion of SOUTHCOM-supported programs in Colombia.

What is your understanding of SOUTHCOM's role under the CSDI?

Answer. My understanding is under CSDI, SOUTHCOM continues to coordinate its support for activities with the Department of State, USAID, DEA, and other U.S. Federal agencies to focus its programs in the geographic areas identified by the Government of Colombia as locations in which Colombian agencies will concentrate military, counternarcotics, law enforcement, and social and economic development efforts to establish a continuing government presence.

*Question.* What are the biggest challenges to SOUTHCOM in complementing Colombia's whole-of-government approach to increasing state presence in remote, but strategically important rural areas?

Answer. The Colombian Government has achieved great success with its whole-of-government approach, but logistical and mobility challenges of projecting power in Colombia's largely uninhabited areas have made extended deployments and a permanent stabilizing presence extremely taxing for the Colombian military and other government agencies. As with any whole-of-government approach, coordination, synchronization, and deconfliction of efforts are a constant challenge, but not an insurmountable one. If confirmed, I will conduct routine assessments of SOUTHCOM's support to both Colombia and the U.S. whole-of-government approaches to identify areas of improvement or capability gaps.

*Question.* In 2010, the Colombian Constitutional Court issued a decision striking down a defense agreement with the United States that would have allowed U.S. personnel to use several Colombian military facilities for 10 years.

What is your understanding of the impact of the court decision on U.S. military support activities in Colombia?

Answer. My understanding is that Colombian Constitutional Court ruled the Defense Cooperation Agreement (DCA) invalid without ratification by the Colombian legislature. To date, the Government of Colombia has not sent the DCA to the legislature for consideration.

BOLIVARIAN ALLIANCE OF THE AMERICAS COUNTRIES

*Question.* Several militaries of the member countries of the Bolivarian Alliance of the Americas (ALBA), including Venezuela, Ecuador, Bolivia and Nicaragua, have received U.S. assistance for decades.

In general, how would you characterize the current state of military-to-military relations between the United States and the ALBA countries that have been receiving U.S. assistance?

Answer. In general, I would characterize U.S. military-to-military relations with the ALBA countries as limited. My understanding is that this is due solely to the preferences and decisions of the governments of these respective countries, and that the U.S. military continues positive outreach efforts. As discussed previously, the United States does not have active military-to-military relations with the Venezuelan military. As I understand it, military-to-military engagement with Bolivia is generally limited by the Bolivian Government, while the Ecuadoran and Nicaraguan militaries have demonstrated a greater willingness to engage with the U.S. military on issues of mutual concern and interest.

CENTRAL AMERICA AND MEXICO

*Question.* During a Senate Armed Services Committee hearing in 2011, General Douglas Fraser—the Commander of SOUTHCOM—and Admiral Winnefeld—the former Commander of U.S. Northern Command—discussed the increasingly dangerous region between Colombia and Mexico, and the devastating impact transnational criminal organizations are having on the people and security in this region. The United States has increased its assistance in this region, but—to date—DOD has had only a small role.

What is your assessment of the threats posed by transnational criminal organizations in this region?

Answer. My understanding is that in recent years due to sustained pressure and successes in Colombia and Mexico, Mexican-based transnational organizations—primarily the Sinaloa Cartel and Los Zetas—have expanded and consolidated control over key illicit trafficking routes in Central America. These groups engage in a range of illicit activity, trafficking in precursor chemicals from India, China, and Bangladesh; commercial weapons from the United States; people, including the forced trafficking of humans and the smuggling of migrants and special interest aliens; and drug proceeds in the form of bulk cash from the United States. These

Mexican-based criminal organizations, as well as Central American drug trafficking organizations, ensure freedom of movement through corruption of law enforcement officials, bribery of border security agents, penetration of government institutions, laundering of money into the global financial system, and intimidation of judges and prosecutors. Violent criminal organizations, coupled with the isthmus' youth gang problem and weak rule of law, are contributing to rising homicide rates; Central America is now one of the most violent regions in the world.

*Question.* What is your understanding and assessment of DOD's current activities in Mexico and Central America?

Answer. My understanding is that U.S. Northern Command, in support of the Merida Initiative, has a strong cooperative relationship with the Mexican military and provides support to U.S. interagency partners operating in its AOR, while SOUTHCOM's activities in Central America are executed in support of the CARSI, and focus on building the capacity of regional militaries to counter illicit trafficking and transnational organized crime. As I understand it, U.S. Northern Command and SOUTHCOM work to ensure seamless cooperation between the two command's areas of responsibilities, and foster enhanced levels of cooperation between Mexico, Belize, and Guatemala along their shared borders.

*Question.* What changes, if any, would you recommend to DOD's current activities in this region?

Answer. If confirmed, I will conduct continuous assessments of current DOD activities to identify areas for increased efficiency and efficacy, as well as identify opportunities for enhanced collaboration with other U.S. agencies.

*Question.* If DOD expands its activities in Central America, where—in your view—can U.S. assistance have the greatest impact?

Answer. In my opinion, U.S. efforts to build the capacity of regional militaries and strengthen the capacities of defense and security institutions are important components of overall whole-of-government efforts, which help strengthen government institutions' accountability and transparency; foster resilient communities; combat crime; and support economic and social development, all of which are critical issues for many countries in Central America.

*Question.* What changes, if any, would you recommend to the Department's support to civilian agencies operating in the region?

Answer. I believe it is important to coordinate activities and enhance DOD support to civilian agencies, especially in areas of identified capability gaps, such as logistics support to U.S. law enforcement. If confirmed, I will conduct continuous assessments of current DOD support and identify areas for improvement and opportunities for increased collaboration.

WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION

*Question.* The Western Hemisphere Institute for Security Cooperation (WHINSEC), which replaced the School of the Americas in 2001, has the mission of contributing to theater cooperation activities through the education and training of students in the Western Hemisphere from Canada to Chile.

What is the relationship between SOUTHCOM and WHINSEC?

Answer. WHINSEC does not fall under SOUTHCOM's command authority, but it is one of many valuable tools available to strengthen military-to-military relations in the region. I also understand the Commander of SOUTHCOM is a member of WHINSEC's Board of Visitors. If confirmed, I look forward to joining this distinguished group.

*Question.* In your view, does WHINSEC promote the national security interests of the United States in the Western Hemisphere?

Answer. WHINSEC provides important training and education to regional military personnel, promotes a shared vision of regional cooperation and a peaceful international order, and helps build relationships with future military leaders, all of which enhances security cooperation and advances U.S. security interests in the Western Hemisphere. In my view, Congress was correct when it wrote in section 1257 of the National Defense Authorization Act for Fiscal Year 2008 that WHINSEC "is an invaluable education and training facility which DOD should continue to utilize in order to help foster a spirit of partnership and interoperability among the United States military and the militaries of participating nations." If confirmed, I will continue SOUTHCOM's support of WHINSEC.

*Question.* In your view, what more—if anything—does WHINSEC need to do to emphasize human rights in its curriculum?

Answer. From what I understand, WHINSEC has a very comprehensive human rights curriculum in place and intersperses human rights instruction throughout its program. If confirmed, I will continue to monitor and assess the human rights cur-

riculum and will stress the value of WHINSEC attendance for personnel from regional militaries and security forces.

*Question.* Will you attend the regularly scheduled WHINSEC Board of Visitors meetings?

Answer. If confirmed, I will attend the regularly scheduled Board of Visitors meetings.

IRANIAN INFLUENCE IN LATIN AMERICA

*Question.* There has been increased concern in recent years about Iran's growing interest in Latin America, particularly its relations with Venezuela, which in turn has played a key role in Iran's expanding relations with Bolivia, Ecuador, and Nicaragua. There has been disagreement, however, over the extent and significance of Iran's relations with the region. Nevertheless, Iranian President Mahmoud Ahmadinejad's January 2012 trip to Venezuela, Nicaragua, Cuba, and Ecuador again increased concerns by some about Iran's efforts to forge ties with the region. Outgoing SOUTHCOM Commander Douglas Fraser maintained in congressional testimony last year that the focus of Iran in the region primarily has been diplomatic and commercial, and that he has not seen an increase in Iran's military presence in the region.

What is your assessment of Iran's military presence in the region?

Answer. My understanding is that Iran's overtures to the region are primarily undertaken to circumvent international sanctions and, with like-minded nations, attempt to undermine U.S. influence in the region. I do not see evidence of an increase in uniformed Iranian military presence in the region.

*Question.* What is the extent of Iran's military-to-military engagement with Latin American countries?

Answer. As mentioned above, Iran's engagement strategy has primarily been centered on diplomatic and economic endeavors with sympathetic countries like Venezuela and Bolivia. Iran has increased its high-level engagements, but as I understand it, has not significantly increased its military-to-military engagements. Iran continues to pursue arms deals with Latin America but has made little concrete progress.

*Question.* One of the concerns about Iran's increased focus on the region is its support for Hezbollah, which along with Iran, was alleged to be responsible for two bombings in Argentina in the early 1990s.

What concerns do you have about Hezbollah's current activities in the hemisphere?

Answer. As I understand it, Lebanese Shi'a Diaspora communities in the AOR transmit tens of millions of dollars in financial support to family members in Lebanon; an unknown portion of this money helps cover Lebanese Hezbollah's operating costs. Supporters and sympathizers in the region are focused on licit and illicit fundraising, although proselytizing, recruitment and some elements of radicalization exist as well. I understand that illicit activities and trade-based money laundering by supporters and sympathizers are concentrated primarily in areas like the Tri-Border Area of Brazil, Paraguay, and Argentina, and locations like the Colon Free Trade Zone in Panama. If confirmed, I will keep SOUTHCOM vigilant to detect and defend against terrorist threats to the United States and to our partners.

*Question.* How significant is Hezbollah's involvement in drug trafficking in the region?

Answer. As mentioned previously, my understanding is that some supporters of Hezbollah in the region are involved in raising money for the parent organization via both legal and illegal means, including drug trafficking. As the 2011 case of Ayman Joumaa demonstrates, drug trafficking, financial support to Hezbollah, and money laundering in the region are overlapping and interconnected threats.

*Question.* How would you compare the financial support that Hezbollah derives from its activities in Latin America to the support that it receives from Iran?

Answer. My understanding is that Hezbollah derives an unknown portion of financial support from the region.

GLOBAL PEACE OPERATION INITIATIVE

*Question.* In 2005, the United States, along with our partners in the G–8, launched the Global Peace Operations Initiative (GPOI) to train peacekeepers. This program is run by the Department of State. DOD has provided varying degrees of support since the program's inception. A number of national militaries in the SOUTHCOM AOR have benefitted from this program and have provided peacekeeping troops to multilateral peacekeeping operations around the globe.

What is your understanding of the GPOI program?

Answer. My understanding is that the Global Peace Operations Initiative is a security assistance program designed to build the capacity of participating partners to conduct United Nations and regional peace support operations. GPOI is a Department of State program that is supported by SOUTHCOM through training and exercises to build the peacekeeping capacity of 11 participating partners in the AOR.

*Question.* Would you support or oppose SOUTHCOM's continued involvement in the program?

Answer. I will support SOUTHCOM's continued involvement in this program, which promotes shared responsibility and costs associated with global stability and peacekeeping operations. I understand that militaries in the region have contributed approximately 8,000 personnel to peace support and stability operations throughout the world, including critical and ongoing support to the U.N. Missions in Haiti, Lebanon, and the Sudan. In my opinion, the GPOI is another valuable tool to promote partnerships, collective responses, and a peaceful international order.

SPECIAL OPERATIONS FORCES

*Question.* As forces have been reduced in Iraq and Afghanistan, there is an expectation that additional Special Operations Forces may be available for missions in other combatant commands, including SOUTHCOM, which have had only a small presence of such forces in recent years.

What special operations capabilities are in highest demand by SOUTHCOM?

Answer. It is my understanding that SOUTHCOM relies heavily on Special Operations Forces' ability to engage with partner nation security forces for the development of tactical skills, the integration of intelligence, operations, and command and control, and the application of Civil Military and Military Information Support Operations. If confirmed, and as more forces become available, I would use them to conduct persistent engagement with our critical partners to develop these important capabilities.

*Question.* Which countries in the SOUTHCOM AOR do you believe have the greatest need for increased engagement with U.S. Special Operations Forces?

Answer. I believe that Colombia and Peru would benefit from increased engagement with U.S. Special Operations Forces, as both countries continue to work to defeat the narco-terrorist threats within their borders. If confirmed, I would ensure continued support to these important partners, and also identify Special Operations Forces engagement opportunities with vetted units in Belize, Honduras, Guatemala, and El Salvador to support these countries' efforts to counter transnational organized crime.

SPECIAL OPERATIONS PERSONNEL IN EMBASSIES

*Question.* U.S. Special Operations Command deploys personnel to work with country teams in a number of priority countries where the United States is not engaged in direct action operations, but rather trying to stop the spread of violent extremism. Their mission is to support the priorities of the ambassador and the geographic combatant commander's theater campaign plan against terrorist networks. At times, ambassadors have complained that they have not been adequately informed of activities by special operations forces in their country.

If confirmed, what do you intend to do to make sure the goals of special operations personnel deployed to these countries are aligned closely with those of the ambassadors they are working with?

Answer. If confirmed as geographic combatant commander, SOUTHCOM, I would be the final authority on which DOD forces deploy to the AOR, with the exception of any deployments directed specifically by the Secretary of Defense and the President.

If confirmed, and prior to deploying any forces, I and my staff would provide planning direction through the Theater Campaign Plan. This direction is used by military groups embedded within country teams to develop Country Cooperation Plans, which directly support and are aligned with Ambassadors' Mission Strategic Resource Plans. Prior to and during execution of activities, my staff would review all deployments, including that of Special Operation Forces, to ensure they meet requirements, which have been vetted by the ambassador through the military groups within country teams. I and my staff would also receive weekly activity updates from both the military groups and the Theater Special Operations Component Commander. Finally, both I, the civilian deputy to the commander, and SOUTHCOM staff would personally reach out to ambassadors in the region to ensure our activities remain aligned with their objectives.

SPECIAL OPERATIONS AUTHORITIES

*Question.* Some have advocated providing the Commander of U.S. Special Operations Command with new authorities designed to, among other things, better resource the Theater Special Operations Commands and provide special operations forces with additional flexibility and funding to build the capacity of partner nation security forces.

Do you believe additional special operations-specific authorities are appropriate? If so, what types of authorities would you suggest?

Answer. In my opinion, absent a contingency, there are inherent limitations to building partner capacity that require additional effort to ensure the U.S. military provides flexible and value-added assistance. During peacetime phase 0 operations, Special Operations Forces could make a more meaningful contribution if current authorities were expanded to allow Special Operations Forces to advise, assist, train and equip partner nations, as well as develop infrastructure, in support of partner nation efforts to counter transnational organized crime and illicit trafficking. With respect to better resourcing of the TSOCs, if confirmed, I would welcome any initiatives that provide GCCs with a more robust ability to support their theater campaign plans.

SECTION 1208 OPERATIONS

*Question.* Section 1208 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as amended by subsequent legislation, authorizes the provision of support (including training, funding, and equipment) to regular forces, irregular forces, and individuals supporting or facilitating military operations by U.S. Special Operations Forces to combat terrorism.

What is your assessment of this authority?

Answer. I think this authority is sufficient for its intended purposes. However, I believe it should be complemented by authorities that facilitate support to the development of partner nation capabilities' on a long-term basis, as they combat national and regional irregular threats to stability, which may ultimately affect the United States.

DEFENSE COOPERATION

Governments in the region are increasingly cooperating in forums that do not include the United States. In terms of defense cooperation, the most advanced forum is the South American Defense Council, part of the Union of South American Nations.

How does SOUTHCOM view this and other defense-cooperation bodies to which the United States is not invited?

Answer. From my understanding, SOUTHCOM views efforts by regional militaries to enhance defense cooperation as a positive development, and welcomes all efforts by South American militaries to improve security and stability throughout the region. If confirmed, I will support the Department of State's efforts to engage with these multilateral forums on issues of mutual interest.

SEXUAL ASSAULT PREVENTION AND RESPONSE IN SOUTHCOM

*Question.* DOD has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assault. However, new allegations of sexual assault continue to be reported, and many question the adequacy of the chain of command's response to these allegations.

Answer. A frequent complaint of victims of sexual assault and their advocates is that military commanders frequently fail to hold assailants accountable for their criminal acts. Some in Congress have proposed that commanders' authority to address sexual assaults be removed and given to an independent entity.

What is your view of the Sexual Assault Prevention and Response Program in SOUTHCOM?

Answer. I am told that SOUTHCOM has a dedicated Sexual Harassment/Assault Response and Prevention (SHARP) Coordinator who is trained to respond to allegations of sexual assault and ensure victim advocacy. The SHARP coordinator is extremely knowledgeable of reporting requirements and victims' rights regarding medical care, investigation, legal assistance and restricted reporting, and maintains direct personal contact with all military assistance providers.

*Question.* What is your view of the adequacy of the training and resources in SOUTHCOM to investigate and respond to allegations of sexual assault?

Answer. I am told that SOUTHCOM provides its personnel all that is necessary to investigate and respond to sexual assault allegations. As the headquarters execu-

tive agency, the Department of the Army has instituted a comprehensive SHARP program training support package to provide training to all military personnel.

*Question.* What is your view of the proposal to give the authority to an independent agency, not part of the chain of command, to address allegations of sexual assault, including the authority to hold assailants accountable for criminal acts?

Answer. In my opinion, commands should be aware of all allegations of Sexual Assault on their respective installations to ensure the safety of the victim and others stationed there. It is also important to keep the tools of good order and discipline in the hands of the Commander, a cornerstone of military discipline. The chain of command reinforces the SHARP program's commitment to eliminate incidents of sexual assault through a comprehensive policy that centers on awareness and prevention, training and education, victim advocacy, response, reporting, and accountability. DOD has developed effective policies that promote sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes.

*Question.* What is your understanding of the adequacy of the resources and programs in place in SOUTHCOM to offer victims of sexual assault the medical, psychological, and legal help that they need?

Answer. As described above, I understand that SOUTHCOM has a robust SHARP program in place that ensures victims receive all the help and legal, medical, and psychological support they need. If confirmed, I will continue SOUTHCOM's zero tolerance policy, actively support its programs, and regularly monitor and assess its operations and resources.

*Question.* Do you consider the current sexual assault policies and procedures, particularly those on confidential reporting, to be effective?

Answer. Yes. I am told that the policies and procedures, outlined above, are effective.

*Question.* What is your view of steps taken to prevent sexual assaults in SOUTHCOM?

Answer. The command has a zero tolerance policy and ensures all incidents are handled using the exact procedures outlined in DOD directives and policy, which promote sensitive care, confidential reporting for victims of sexual assault, and 100 percent accountability for those who commit these crimes.

*Question.* What are the unique challenges relating to accountability for pursuing allegations of sexual assaults within deployed forces in a joint environment, and how would you, if confirmed, ensure such accountability?

Answer. Deployed joint forces confront command and control issues inherent to the differences between Services and variable durations of missions. However, sexual assault is a violation of the Uniform Code of Military Justice and will be investigated accordingly under all applicable regulations and policies regardless of a deployed environment and the services of those involved. If confirmed, I will ensure that such challenges do not prevent commanders in the SOUTHCOM AOR from holding those accountable under the law. I am aware of recommended improvements proposed by SOUTHCOM to address command and control issues stemming from the allegations of misconduct in Cartagena, Colombia. If confirmed, I will take steps to enact these recommendations, if so directed.

MENTAL HEALTH OF SERVICEMEMBERS AND STRESS ON THE FORCE

*Question.* The committee is concerned about the stress on military personnel resulting from lengthy and repeated deployments and their access to mental health care to deal with this increased stress. The increased suicide rates in each of the services are clear reminders that servicemembers, particularly those who have been deployed multiple times, are under tremendous stress and need access to mental health care.

In your view, are there sufficient mental health assets embedded within SOUTHCOM to address the mental health needs of the military personnel, particularly for those who have experienced multiple deployments in Iraq and Afghanistan, as well as military families?

Answer. As I understand it, the majority of forces that deploy within the SOUTHCOM region rely on their parent service for medical care during post-deployment, including the very important post-deployment monitoring of mental health. During deployment, I am told that the SOUTHCOM Surgeon closely monitors all command mental health issues and ensures that the command provides immediate support, if necessary. The approximately 1,500 personnel assigned to the SOUTHCOM Headquarters have their medical needs met through a small U.S. Army Health Clinic located at the Headquarters. I have been told that a mental health professional is assigned to this clinic and that patients may also be referred

to the local VA hospital, clinics, and civilian providers to address their mental health needs. I understand that family members and retirees are supported by the Garrison Employee Assistance Program, as well as TRICARE.

*Question.* If confirmed, what actions will you take to address the mental health needs of military personnel and their families in SOUTHCOM?

Answer. If confirmed, I will continue to place emphasis on ensuring that military personnel and their families have adequate access to mental health services, including programs on suicide prevention and substance abuse prevention and treatment. I will also work to improve the coordination between SOUTHCOM's military doctors and local civilian providers to ensure that we understand and address the mental health needs of our personnel.

*Question.* Do you have any views on how to reduce the stigma, real or perceived, for seeking mental health care?

Answer. In my opinion, advocacy and public support by senior leadership is important to help reduce the stigma associated with seeking mental health care. If confirmed, I will work tirelessly to ensure that all assigned military personnel and their families are aware of the full range of support services available at SOUTHCOM and that they receive whatever support they may need.

HUMANITARIAN ASSISTANCE AND DISASTER RELIEF

*Question.* What should be the role for the U.S. military in humanitarian assistance and disaster relief in the SOUTHCOM AOR?

Answer. Countries in the SOUTHCOM AOR are vulnerable to natural disasters, such as hurricanes, earthquakes, volcanoes, and flooding. As outlined in the Unified Command Plan, the U.S. military is responsible for conducting foreign humanitarian assistance and disaster relief operations in the SOUTHCOM AOR in support of the lead Federal agency (USAID/OFDA), at the direction of the President or the Secretary of Defense in response to a request from the affected host nation.

*Question.* Are the resources necessary to fulfill this role currently available to the SOUTHCOM Commander? If not, what additional resources are necessary?

Answer. Yes, I think the SOUTHCOM commander has adequate resources to fulfill this role.

LAW OF THE SEA CONVENTION

*Question.* The United Nations Convention on the Law of the Sea (UNCLOS) is pending consideration in the U.S. Senate.

What is your view on whether or not the United States should join the UNCLOS?

Answer. As an official policy matter, I defer questions associated with the UNCLOS to the Chief of Naval Operations. However, as a joint officer, I support the U.S. accession to the Convention.

*Question.* How would being a party to the UNCLOS help or hinder the United States' security posture?

Answer. The UNCLOS codifies navigation and overflight rights in the high seas and ensures rights of transit though international straights, both of which are essential for the global mobility of U.S. Armed Forces. UNCLOS supports our National Security Strategy and helps advance our economic and security objectives. It is my understanding that as a matter of customary law, the United States is already in compliance. I also understand that Article 298 of the Convention permits the United States to completely exempt its military activities from dispute resolution.

ILLICIT ARMS TRAFFICKING

*Question.* Countering illicit arms trafficking is a focus area for SOUTHCOM. In July, governments of the world will gather at the United Nations to negotiate a global Arms Trade Treaty which would set global standards on the international transfer of conventional weapons.

What is your understanding of the problem of illicit arms trafficking in the SOUTHCOM AOR and of SOUTHCOM's role in the U.S. efforts to deal with the problem?

Answer. As I understand it, 45 to 80 million illicit and registered small arms and light weapons are in circulation throughout the region. The region's generally poor stockpile security and enforcement of arms laws, coupled with civil war era weapons surpluses, account for many weapons in circulation today. The U.S. firearms market is a major source of commercial firearms smuggled into Mexico and Central America. Central America is the largest source of illegal weapons transported to Colombia, the primary destination for illicit arms in the AOR, but an increasing amount of weapons are headed north to transnational criminal organizations based in Mex-

ico. Caribbean authorities believe the majority of trafficked firearms are concealed in commercial cargo shipments. I understand that SOUTHCOM's role is to support law enforcement efforts to monitor, detect, and interdict suspected illicit arms shipments, primarily through intelligence support and information sharing.

*Question.* In your view, to what extent, if at all, does the lack of national controls and enforcement on arms flows contribute to the illicit trafficking problem in the region, and could those response efforts be improved if other country's adopted and enforced national regulations on arms import, export, and transit similar to those of the United States?

Answer. As I understand it, many factors contribute to the illicit trafficking problem in the region, such as porous borders, corruption, lack of rule of law, weak institutions, low domain awareness, ineffective law enforcement, criminal penetration of government institutions, and wide swaths of under governed areas with little to no state presence, to list but a few. Partner nation efforts to improve and enforce regulations against illicit trafficking and other illegal activity such as money laundering could be beneficial, but to be effective, these efforts should be complemented with investments by the partner nation in other areas, such as strengthening government and civilian law enforcement institutions; fostering economic growth to promote legitimate alternatives to illicit trafficking; establishing effective state presence in under governed areas; and promote anti-crime initiatives in at-risk communities.

*Question.* Do you think an arms trade treaty, such as is being contemplated in the United Nations, would enhance SOUTHCOM's efforts in the region? What is your view on whether or not the United States should be a party to this effort?

Answer. As I mentioned above, efforts that enhance regional security can have a positive impact on partner nation initiatives. As this is an international arms trade treaty, I defer matters of foreign policy to the Department of State.

SCIENCE AND TECHNOLOGY

*Question.* As with other combatant commands, a science and technology (S&T) advisor is assigned to support SOUTHCOM.

If confirmed, what would be your priorities for the SOUTHCOM S&T advisor?

Answer. If confirmed, my direction to the S&T advisor would be to speed fielding of solutions to help address the Command's most pressing capability gaps in the detection and monitoring and foreign humanitarian and disaster response missions, enhance support to the overarching theater campaign plan, and make lasting contributions to the broader defense and U.S. S&T enterprise. In my view, technology can be leveraged to make our forces, as well as those of our partner nations, more effective and efficient.

*Question.* DOD has, in recent years, put greater emphasis on research and development of persistent intelligence, surveillance, and reconnaissance (ISR) capabilities.

In your view, how can persistent ISR improve operations in the SOUTHCOM AOR theater, and how would you utilize new platform and sensor technologies?

Answer. In my view, persistent ISR will help close the current gaps in coverage due to limited theater ISR allocations for SOUTHCOM's detection and monitoring mission, while also providing DOD, U.S. interagency partners, and partner nations with improved domain awareness that will enable maximum collective efforts. Illicit trafficking is most prevalent in areas that are particularly challenging to the D&M mission. These areas include dense jungle foliage which conceals illicit activities such as cultivation of illicit crops, drug processing laboratories, and the construction of semi-submersible (SPSS) and fully submersible vehicles (FSVs); expansive river networks and busy littoral routes that serve as a main line of communication for transit of illicit traffic; the broad ocean passageways used by SPSS and FSV; and lastly the vast network of highways and secondary roads that allow traffickers to breach national borders undetected. New platform and sensor technologies will need to be integrated into a holistic theater ISR architecture that incorporates and leverages partner nation and U.S. interagency capabilities, and will require inherent automated re-tasking, exploitation, fusion and reporting capabilities.

*Question.* Do you believe that airship platforms can be effectively employed in the SOUTHCOM AOR?

Answer. Yes, I believe employing these platforms at strategic locations inside the theater would bring significant benefits. For example, a radar equipped airship would deliver persistent, regional coverage of air and maritime activity (accessible by on-line information sharing tools), and provide valuable regional domain awareness to those countries with very limited to no organic capabilities for monitoring these areas. Outfitting these long dwell platforms with more advanced sensors will provide a capability to detect and monitor the illicit activities of transnational crimi-

nal organizations in sanctuaries provided by the dense jungle environment, riverine, littoral, and broad ocean areas. If confirmed, I look forward to identifying opportunities to make SOUTHCOM operations more efficient and effective through the use of technology.

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, I do.

*Question.* Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

Answer. Yes, I do.

*Question.* Do you agree, if confirmed, to appear before this committee, or designated members of this committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Commander, SOUTHCOM?

Answer. Yes, I do.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes, I do.

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

Answer. Yes, I do.

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## [Questions for the record with answers supplied follow:]

QUESTION SUBMITTED BY SENATOR CARL LEVIN

UNIFIED COMMAND PLAN CHANGES

1. Senator LEVIN. General Kelly, it has been reported that Admiral McRaven, Commander of U.S. Special Operations Command (SOCOM), is seeking changes to the Unified Command Plan (UCP) that he believes would allow SOCOM to better support the requirements of the Theater Special Operations Commands (TSOC). Reportedly, such changes would give the Commander of SOCOM combatant command authority over the TSOCs—including responsibilities for resourcing—and provide for more rapid deployment of Special Operations Forces (SOF) to and between geographic combatant commands without the requirement for approval by the Secretary of Defense in every case. Operational control of deployed SOFs would reportedly remain with the respective geographic combatant commander.

Some have expressed concern that such changes could raise problems related to civilian control of the military, infringe upon the traditional authorities of the geographic combatant commanders, and make it more difficult for ambassadors and geographic combatant commanders to know what military personnel are coming into their areas of responsibility (AOR) and what they are doing while they are there.

Please provide your assessment of whether such UCP changes are appropriate and can be made without conflicting with civilian control of the military, infringing upon authorities provided to the geographic combatant commanders, or raising concerns with the Department of State.

General KELLY. The global nature and fluidity of current and future security challenges, particularly those presented by non-state actors, makes the SOCOM UCP proposal worthy of careful review. Improved responsiveness to yet unknown security challenges will be imperative for both force providers and the geographic combatant commanders (GCC) in the future. It is my understanding that the proponents of assigning TSOCs to SOCOM believe it will result in greater responsiveness of SOF to developing situations and improve availability of SOF for capacity building activities with partner nations. As this proposal is reviewed, we must ensure the geographic combatant commands retain the authorities commensurate with the responsibilities of a geographic combatant commander such as providing the single point of contact on military matters within the AOR. Geographic combatant commanders and ambassadors will have sufficient awareness of deployed forces and their activi-

ties so long as geographic combatant commanders—working through their military groups embedded within U.S. Embassy country teams—retain approval authority for military personnel entering their respective AORs. I understand that other issues are still under deliberation and discussion within the Department of Defense (DOD).

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QUESTIONS SUBMITTED BY SENATOR JOSEPH I. LIEBERMAN

IRANIAN INFLUENCE IN THE U.S. SOUTHERN COMMAND AREA OF RESPONSIBILITY

2. Senator LIEBERMAN. General Kelly, the influence of Iran and Islamist organizations in Latin America has long been a concern, but it has taken on increased urgency since the revelation last fall's Iranian attempt to assassinate the Saudi Arabian ambassador in Washington with the support of Mexican trafficking cartels. According to the current Commander of U.S. Southern Command (SOUTHCOM), General Fraser, there is evidence of international terrorist groups benefitting from the intertwined systems of illicit trafficking and money laundering in the SOUTHCOM AOR. In South America, funding for Hezbollah is raised through licit avenues, such as charitable donations and illicit means, including trafficking in drugs, counterfeit, and pirated goods. Does an Iranian and Hezbollah presence in Latin America indicate that their ability to materially harm our interests and relationships in the region is growing?

General KELLY. Iran and Hezbollah's bombings in Argentina in 1992 and 1994 demonstrated their ability to conduct attacks in Latin America. Iran and Hezbollah remain capable of conducting operations in the region—including assassinations, bombings, and kidnappings—against United States or partner nation interests.

3. Senator LIEBERMAN. General Kelly, the Iranian regime attempted to utilize contacts in Latin America in its foiled plot to assassinate the Saudi Arabian ambassador in Washington last fall. Do you foresee other efforts by the Iranian regime or proxy groups like Hezbollah to mobilize their general influence in the region to conduct specific operations, such as targeted attacks within the United States?

General KELLY. We remain concerned about the possibility of Iran using proxy groups or individuals in the region to conduct targeted attacks in the United States.

4. Senator LIEBERMAN. General Kelly, in light of the assassination plot, would you recommend any changes to the scope or priority of U.S. partnership and capacity-building activities in the SOUTHCOM AOR?

General KELLY. I will continuously reassess the influence and activities of Iran and Islamic organizations in Latin America and will recommend changes to scope and priority of U.S. partnership and capacity-building activities in the AOR as appropriate and required.

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QUESTIONS SUBMITTED BY SENATOR CLAIRE MCCASKILL

OPERATIONS IN HONDURAS

5. Senator MCCASKILL. General Kelly, recent press stories have provided details regarding a Drug Enforcement Agency (DEA) operation in Honduras known as Operation Anvil. On several occasions, DEA agents have been involved in exchanges of gunfire that have resulted in the deaths of suspected drug traffickers. In an incident in May, locals claim innocent civilians were killed when their boat was fired on by a Department of State helicopter carrying Honduran police. What DOD assets are used to support Operation Anvil and other DEA operations in Honduras?

General KELLY. DOD assets used to support Operation Anvil and other DEA operations in Honduras are provided primarily by JTF–B located at Soto Cano Air Base in Honduras. DOD helicopters assigned to JTF–B can provide rotary wing transportation support to U.S. and Honduran Drug Law Enforcement personnel. Deployed U.S. SOFs provide training to Honduran Police and Military units that have a role in drug law enforcement. During Operation Anvil, JTF–B's role was limited to logistics and communications support to the interagency at each of three forward operating bases. Logistical support included providing fuel to DOS helicopters on a reimbursable basis. JTF–B also provided rotary lift in support of DEA to administratively transport two human remains and contraband, under DEA control, from the interdiction site to Tegucigalpa. No DOD assets participate in actual interdiction operations within Honduras to include operations during Op Anvil.

6. Senator MCCASKILL. General Kelly, are you comfortable with the scope of DEA's current operations in the SOUTHCOM AOR?

General KELLY. Based upon current resourcing, I believe DEA's scope of operations in SOUTHCOM's AOR is appropriate.

7. Senator MCCASKILL. General Kelly, would these missions more appropriately be carried out by U.S. military personnel? If not, why not?

General KELLY. Under current U.S. law and policy, I don't believe these missions could be executed better by military personnel. The detection and monitoring of aerial and maritime transit of illegal drugs into the United States in accordance with title 10 U.S.C. § 124 is a DOD mission, however, the actual interdiction of targets is a law enforcement function. Military personnel can provide support to U.S. and partner nation Drug Law Enforcement Agencies, but law enforcement interdiction operations are better, and more appropriately, executed by trained enforcement personnel.

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QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEQUESTRATION

8. Senator INHOFE. General Kelly, sequestration will be devastating to our national defense, the military, and our defense industrial base. Could you please explain how sequestration will affect your organization?

General KELLY. The percentage reduction for fiscal year 2013 equals the total cut for DOD as a whole ($50–$55) billion) divided by fiscal year 2013 new budget authority and prior-year unobligated balances. If military personnel funding is exempt, it will be excluded from fiscal year 2013 new budget authority. That means everything else is cut more and DOD estimates an 8 percent cut with milpers included, 10 percent with milpers exempt. The best way to avoid this problem is to turn off sequestration for defense and non-defense.

9. Senator INHOFE. General Kelly, we are already assuming risks with the reduction of the DOD budget, but if sequestration takes effect, how much more risk would be involved and can we adequately meet the requirements of our national defense strategy?

General KELLY. We are currently performing impact assessments of sequestration that consider some of these factors. However, we are heavily focused on turning off sequester rather than assessing its impact.

ALTERNATIVE ENERGY AND WAR ON GLOBAL WARMING

10. Senator INHOFE. General Kelly, I believe DOD can and should improve efficiencies in energy use and expand in the use of alternative energy sources; however, it should not come at the cost of manning, training, or equipping the force. Do you agree?

General KELLY. I agree that DOD can and should improve efficiencies in energy use and expand in the use of alternative energy sources, but it should not necessarily come at the cost of manning, training, or equipping the force.

11. Senator INHOFE. General Kelly, some alternative fuels, such as biofuels, cost five to eight times as much as conventional fuels, with no guarantee that market forces will bring these costs down. The Navy's move to biofuels alone is expected to add $1.8 billion a year in fuel costs in for the green fleet. This money will have to be taken from other accounts due to decreasing defense budgets. With the continued decline of the defense budget over the past 3 years—forcing cuts to personnel, ships, and aircraft—what will be the impact of tripling or quadrupling your fuel costs?

General KELLY. Tripling or quadrupling fuel costs or any costs will undoubtedly impact operations, training, readiness, and acquisition, as money to pay for the increased costs will have to be taken from other accounts.

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[The nomination reference of LtGen John F. Kelly, USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*January 31, 2012.*

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

The following named officer for appointment to the grade of general in the U.S. Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be General.*

LtGen John F. Kelly, 7821.

The nominee has agreed to respond to requests to appear and testify before any duly constituted committee of the Senate.

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[The biographical sketch of LtGen John F. Kelly, USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

RESUMÉ OF CAREER SERVICE OF LTGEN JOHN F. KELLY, USMC

*Assigned:*
Senior Military Advisor to the Secretary of Defense, March 21, 2011.

*Projected Rotation:*
March 21, 2013.

*Date of Rank:*
October 17, 2009.

*Date of Birth:*
May 11, 1950.

*Date Commissioned:*
December 27, 1975.

*MRD:*
June 1, 2014.

*Education/Qualifications:*
University of Massachusetts BA, 1976
Georgetown University MA, 1984
The Basic School, Quantico, 1976
Marine Corps Command and Staff College, 1991
School of Advanced Warfighting, 1992
National War College, 1995
CAPSTONE, 2004
JFLCC, 2006
Enabling Battle Command Workshop, 2007
Joint Flag Officer Warfighting Course, 2007
SENIOR EXECUTIVE EEO SEMINAR, 2010
Infantry Officer
Joint Qualified Officer

*Commands:*
Commander. Marine Forces Reserve; and Commander. Marine Forces North (LtGen: Oct. 09–Mar. 11)
Deputy Commanding General. I Marine Expeditionary Force (MajGen: Apr. 09–0ct. 09)
Commanding General, I Marine Expeditionary Force (Forward) (MajGen: July 07–Apr. 09)
Assistant Division Commander. 1st Marine Division (BGen: July 02–July 04)
Commanding Officer, 1st Light Armored Reconnaissance Battalion (LtCol: June 92–May 94)

*Joint assignments:*
Special Assistant to the Commander in Chief, SACEUR (Col: Ju1y 99–July 01)

*Service Staff Assignments:*
Legislative Assistant to the Commandant of the Marine Corps (BGen: Sep. 04–June 07)

Assistant Chief of Staff, G–3, 2d Marine Division (Col: July 01–July 02)
Director House Liaison Office, Legislative Affairs, HQMC (LtCol/Col: June 95–June 99)
Head, Tactics Section, Head, Tactics Group; Director, Infantry Officers' Course, The Basic School (Maj: June 87–Aug. 90)
Operations Officer, 3d Battalion, 4th Marines, 2d Marine Division (Maj: Aug. 86–June 87)

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LtGen John F. Kelly, USMC, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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 Francis Kelly.

2. **Position to which nominated:**
Commander, U.S. Southern Command.

3. **Date of nomination:**
January 31, 2012.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
May 11, 1950; Boston, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Karen Hernest Kelly (Maiden name: Hernest).

7. **Names and ages of children:**
Major John Francis Kelly, USMC, age: 32.
1stLt Robert Michael Kelly, USMC, age: 29 (killed in action in Afghanistan, Nov. 9, 2010).
Kathleen Margaret Kelly, age: 26.

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.

Marine Corps Association.

1st Marine Division Association.

Veterans of Foreign Wars.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.

None.

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

Yes.

13. **Personal views:** Do you agree, when asked before any duly constituted committee of Congress, to give your personal views, even if those views differ from the administration in power?

Yes.

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[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.]

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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.

LTGEN JOHN F. KELLY, USMC.

This 28th day of November, 2011.

[The nomination of LtGen John F. Kelly, USMC, was reported to the Senate by Chairman Levin on July 25, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 26, 2012.]

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[Prepared questions submitted to LTG Frank J. Grass, ARNG, by Chairman Levin prior to the hearing with answers supplied follow:]

QUESTIONS AND RESPONSES

DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the war-fighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. Not at this time. Goldwater-Nichols made great strides in achieving unity of effort, unity of command, and unity of resources among the Services and between the Active and Reserve components of each Service. This increased emphasis on jointness among the Services empowered the Chairman of the Joint Chiefs of Staff as principal military advisor and clarified the roles of the combatant commands.

These provisions improved the efficiency and effectiveness of the Department. The Goldwater-Nichols provisions clarifying the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commands confirm the primary role of the Services in these areas, and these provisions do not require further clarification or amendment.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. If confirmed, I will be alert to any need to modify this landmark legislation. I will also continue to work with the Secretary, Joint Staff, combatant commands, and Military Departments to continue to improve all facets of our Nation's joint operations, to include broader interagency coordination in response to emerging domestic and world events.

QUALIFICATIONS

*Question.* What background and experience do you have that you believe qualifies you for the position of Chief of the National Guard Bureau (CNGB)?

Answer. I have served in the National Guard for 42 years as both an enlisted soldier and an officer. Throughout my career I have traversed the spectrum of a National Guardsmen and have served in a variety of command and staff positions as a traditional National Guard soldier, in the active Guard and Reserve program, and on Active Duty. I have had the privilege of previously serving in the National Guard Bureau (NGB) as the Deputy Director of the Army National Guard. In my current position at U.S. Northern Command (NORTHCOM), I serve as the Deputy Commander to a combatant command where I am the principal advisor to the commander on all operational matters, providing strategic guidance to plan and execute missions within the area of responsibility. This includes air, land, maritime, ballistic missile defense and cyber Homeland defense operations, as well as Defense support of civil authorities and theater security cooperation. I am also the Vice Commander for the U.S. Element at North American Aerospace Defense Command where I work in close collaboration with Homeland defense, security, and law enforcement partners to prevent air attacks against North America, safeguarding the sovereign airspaces of the United States and Canada. Between my current assignment and previous time at U.S. European Command as the Director for Mobilization and Reserve Component Affairs, I have over 5 years of joint time. The combination of all of these experiences and my deep respect for the role of the citizen-soldier in American history will enable me to lead the NGB.

VISION FOR THE FUTURE

*Question.* What is your vision for the National Guard of today and the future?

Answer. My vision for the National Guard of today and the future is a high quality, efficient, operational force for both the Homeland and overseas missions consisting of citizen-soldiers and airmen that are an integral member of the Total Force. My vision includes a superb partnership between the NGB and the Adjutants General, allowing for more effective and efficient domestic response. I foresee a force that is an excellent steward of the Department of Defense's (DOD) resources, one that is able to effectively meet the full spectrum of the Department's requirements. Most importantly, my vision for the National Guard includes taking care of our soldiers and airmen to keep faith with our All-Volunteer Force.

*Question.* What roles do you believe the National Guard should play in combat, humanitarian, and stability operations?

Answer. The National Guard, as an integral member of the Total Force, should play a role across the full spectrum of operations including combat, humanitarian, and stability operations.

MAJOR CHALLENGES

*Question.* In your view, what are the major challenges confronting the next CNGB?

Answer. The National Guard must retain an experienced force through dynamic training opportunities and stability operations. Persistent and changing threats to the homeland, including cyber attacks, coupled with unsettled conditions worldwide and a constrained budget will be the major challenges confronting the next CNGB. Indeed, the structure and organization of all of the Armed Forces will be impacted by budgetary matters and hard choices will have to be made.

*Question.* If confirmed, what plans do you have for addressing these challenges?

Answer. If confirmed, I will work closely with Congress, the leadership of DOD, and the Military Departments to ensure the National Guard remains an operational force that can swiftly provide ready trained forces to respond to the full spectrum

of domestic and overseas contingencies while retaining the cost-effective, part-time nature of the National Guard. I will closely monitor the National Guard's stewardship of the Department's resources. If confirmed, I will continue to review the NGB's organization to ensure it is equipping the Chief to effectively participate on the Joint Chiefs of Staff. I will continue to seek ways to improve the channel of communications between the States and the Department.

DUTIES

*Question.* Section 10502 of title 10, U.S.C., provides that the CNGB is: (1) a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense; and (2) the principal adviser to the Secretary of the Army and the Chief of Staff of the Army, and to the Secretary of the Air Force and the Chief of Staff of the Air Force, on matters relating to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States.

If confirmed, how do you plan to carry out these responsibilities?

Answer. As a principal advisor to the Secretary of Defense, through the Chairman of the Joint Chiefs of Staff, on matters involving non-Federalized National Guard forces and on other matters as determined by the Secretary of Defense; and as the principal adviser to the Secretary of the Army and the Chief of Staff of the Army, and to the Secretary of the Air Force and the Chief of Staff of the Air Force, on matters relating to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States, if confirmed I intend to communicate, coordinate, and collaborate with our partners across the Federal and State spectrum to ensure our Nation's wartime and domestic requirements are ably answered by the men and women of the National Guard.

*Question.* What will be the role of the Director of the Army National Guard and the Director of the Air National Guard in the performance of these duties?

Answer. If confirmed, I will continue the close partnerships between the CNGB and the Directors established by my predecessors in order to perform the duties of the CNGB with regard to the Services prescribed by law and policy. Both Lieutenant General Ingram and Lieutenant General Wyatt have tremendous experience in their respective Services. I will rely upon them and their staffs to provide me expert assistance and leadership in carrying out the functions of the NGB.

*Question.* What do you consider to be the most serious problems in the performance of the functions of the CNGB?

Answer. If confirmed, I look forward to continuing the process undertaken by General McKinley to evolve the management structure and processes of the NGB, as the Bureau—like all DOD organizations—adapts to significant changes in the operating and resource environments. The Bureau's evolution will likely address key opportunities and challenges, including: (a) implementing the statutory requirement to participate effectively in the advisory and assessment processes of the Joint Chiefs of Staff, as reflected in recent amendments to title 10 U.S.C. 151 and title 10 U.S.C. 10502; (b) continuing to improve the resource management capabilities of the National Guard to support the Army and Air National Guard and the States in providing effective stewardship of DOD resources; and (c) providing an effective and timely channel of communication between DOD and the States, even as the overall DOD resource environment evolves and Homeland defense and civil support requirements continue to increase.

*Question.* If confirmed, what management actions and time lines would you establish to address these problems?

Answer. If confirmed, I intend to expeditiously complete a thorough review of the status of the many management actions currently underway at the NGB, in close consultation with the Directors of the Army and Air National Guard, the State Adjutants General, my colleagues on the Joint Chiefs of Staff, and other interested parties.

*Question.* If confirmed, what broad priorities will you establish?

Answer. If confirmed, I intend to work closely with the Secretary of Defense, the Secretary of the Army, and the Secretary of the Air Force to lay out the priorities for the National Guard within the framework of the broader vision discussed above. Here are my priorities:

(1) Develop and articulate a vision and strategy for the National Guard that effectively addresses the security needs of the Nation;
(2) Increase shared awareness and common purpose through more structured interactions between the CNGB and the Adjutants Generals;

(3) Take care of our soldiers and airmen by keeping faith with our All-Volunteer Force;
(4) Review, analyze, outline, and implement tangible methods to make our organization more efficient and effective in all processes;
(5) Ensure that the NGB operates as a highly effective joint organization and that a realigned NGB staff provides the support necessary to enable the CNGB to fully participate as a valued member of the JCS team;
(6) Ensure that the CNGB always has full situational awareness so as to provide our Nation's leaders with accurate and timely military advice related to National Guard capabilities;.
(7) Improve stewardship of the DOD resources entrusted tor the National Guard.

*Question.* Sections 151(a) and 10502(d) of title 10, U.S.C., includes the CNGB as a member of the Joint Chiefs of Staff with the specific responsibility of addressing matters involving non-Federalized National Guard forces in support of Homeland defense and civil support missions.

If confirmed, how do you plan to carry out these responsibilities?

Answer. The key to being a successful advisor on matters regarding critical homeland defense and civil support missions will be the effective operation of the NGB and an open and productive partnership with the Adjutants General and the Services. If confirmed I plan to carry out these responsibilities by continuing to develop my relationships with the Adjutants General and the Services, as I have had the honor to do in past years as the Deputy Commander at NORTHCOM. I will also build upon the successes of my predecessor, General McKinley, with the intent of enabling the NGB to provide greater clarity in expressing requirements and risks associated with National Guard roles, missions and resources in Joint Chiefs of Staff assessment and advisory processes. This includes providing a trained and joint qualified NGB staff support to the Joint Staff; equipping the CNGB to provide the Joint Staff with more timely and accurate information regarding National Guard capabilities; and improving the CNGB's ability to manage resources across the National Guard to accomplish assigned homeland defense and civil support missions while always maintaining capabilities for full spectrum operations. Finally I will draw upon my years of experience in the National Guard to provide my best independent military advice to the Secretary of Defense, Congress, and the President.

*Question.* In carrying out these duties, what would be your relationship with the following officials?

The Secretary of Defense.

Answer. The Secretary of Defense is the principal assistant to the President in all matters relating to DOD. He has authority, direction, and control over DOD. If confirmed, I will act as a principal advisor to the Secretary of Defense through the Chairman of the Joint Chiefs of Staff on matters involving non-Federalized National Guard forces and through other DOD officials as determined by the Secretary of Defense or as directed by law or policy. I will serve as the channel of communications on all matters pertaining to the National Guard between: (1) the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the DOD components; and (2) the States. If confirmed, 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 NGB properly implements the policies established by his office.

*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 that the combatant command commanders identify; develops doctrine for the joint employment of the Armed Forces; reports on assignment of functions (or roles and missions) to the Armed Forces; provides for representation of the United States on the Military Staff Committee of the United Nations; and performs such other duties as the law or the President or Secretary of Defense may prescribe. In conjunction with the other members of the Joint Chiefs, the CNGB assists the Chairman in providing military advice to the President, the National Security Council, and the Secretary of Defense. If confirmed, it would be my duty as a member of the Joint Chiefs of Staff to provide frank and timely advice and opinions to the Chairman to assist him in his performance of these responsibilities I will establish and maintain a close and professional relationship with the Chairman, and I will communicate directly and openly with him on any policy matters impacting the National Guard and the Armed Forces as a whole.

*Question.* The Deputy Secretary of Defense.

Answer. The Deputy Secretary of Defense performs such duties and exercises such powers as the Secretary of Defense may prescribe. The Secretary of Defense also delegates to the Deputy Secretary of Defense full power and authority to act for the Secretary of Defense and exercise the powers of the Secretary on any and all matters for which the Secretary is authorized to act pursuant to law. If confirmed, I will be responsible to the Secretary of Defense, and to his deputy, for the operation of the NGB in accordance with the Secretary's guidance and direction. I will communicate with the Deputy Secretary in order to provide advice and guidance required by law or delegated by policy.

*Question.* The Under Secretary of Defense for Personnel and Readiness.

Answer. Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness shall perform such duties and exercise such powers as the Secretary of Defense may prescribe in the areas of military readiness, total force management, military and civilian personnel requirements, military and civilian personnel training, military and civilian family matters, exchange, commissary, and nonappropriated fund activities, personnel requirements for weapons support, National Guard and Reserve components, and health affairs. The Under Secretary of Defense for Personnel and Readiness is responsible, subject to the authority, direction, and control of the Secretary of Defense, for the monitoring of the operations tempo and personnel tempo of the Armed Forces. The Under Secretary shall establish, to the extent practicable, uniform standards within DOD for terminology and policies relating to deployment of units and personnel away from their assigned duty stations (including the length of time units or personnel may be away for such a deployment) and shall establish uniform reporting systems for tracking deployments. If confirmed, I will coordinate with the Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Defense for Reserve Affairs, and in consultation with the Secretaries of the Army and the Air Force, to ensure the effective integration of National Guard capabilities into a cohesive Total Force. I will also coordinate with the Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Defense for Reserve Affairs, in consultation with the Secretaries of the Army and the Air Force, in developing statutory changes, policies, and procedures affecting federally funded National Guard forces under State Governor command.

*Question.* The Assistant Secretary of Defense for Reserve Affairs.

Answer. The Assistant Secretary of Defense for Reserve Affairs is the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Personnel and Readiness for Reserve component matters in DOD. The Assistant Secretary of Defense for Reserve Affairs is responsible for overall supervision of all Reserve component affairs in DOD. If confirmed, I will coordinate closely with the Assistant Secretary of Defense for Reserve Affairs, in consultation with the Secretaries of the Army and the Air Force, to ensure the effective integration of National Guard capabilities into a cohesive Total Force. I will also coordinate closely with the Assistant Secretary of Defense for Reserve Affairs and the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs, in consultation with the Secretaries of the Army and the Air Force, in developing statutory changes, policies, and procedures affecting federally funded National Guard forces under State Governor command.

*Question.* The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs.

Answer. The Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs, under the authority, direction, and control of the Under Secretary of Defense for Policy, serves as the principal civilian advisor to the Secretary of Defense and the Under Secretary of Defense for Policy on Homeland defense activities, Defense Support of Civil Authorities and Western Hemisphere security matters. If confirmed, I will coordinate closely with the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs regarding the use of National Guard personnel and resources for operations conducted under title 32, U.S.C., or in support of State missions. I will assist the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs in carrying out his responsibilities of incorporating the roles and responsibilities of the NGB and the National Guard pertaining to the use of National Guard forces under both Federal and non-Federal control in DOD policy and of representing DOD in interagency, national, and international forums concerning policy for those same matters.

*Question.* The General Counsel of the Department of Defense.

Answer. The General Counsel of DOD is the chief legal officer of DOD. If confirmed, I will ensure that, in the performance of their duties, all officials and personnel of the NGB comply fully with applicable DOD legal opinions. I will coordinate with the General Counsel of DOD, as appropriate, regarding general legal

issues, specific legal problems, specific legal disagreements, and any other matter requiring, by law or policy, action by the General Counsel.

*Question.* The combatant commanders, particularly the Commander of NORTHCOM.

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 their commands' preparedness to execute missions assigned to them. As directed by the Secretary of Defense, the Service Secretaries assign all forces under their jurisdiction to the unified and specified combatant commands or to the U.S. element of the North American Aerospace Defense Command, 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, U.S.C., section 164(c), the Service Secretaries are responsible for administering and supporting the forces that they assign to a combatant command. If confirmed, I will establish close relationships with the combatant commanders and serve as an advisor to them on National Guard matters pertaining to their combatant command missions and support planning and coordination for such activities as requested by the Chairman of the Joint Chiefs of Staff or the commanders of the combatant commands. I will ensure open lines of communication with the combatant commanders relating to homeland defense, defense support of civil authorities, routine planning and execution of the State Partnership Program (SPP), and other matters delegated to me in law or policy. I will assist the Secretary of Defense in facilitating and coordinating with NORTHCOM, U.S. Southern Command, and U.S. Pacific Command the use of National Guard personnel and resources for operations conducted under title 32 or in support of State missions. With regard to the Commander of NORTHCOM, I will continue my close partnership with the current Commander and will ensure to establish and maintain a similar partnership with any future Commanders of NORTHCOM. In coordination with the Commander, NORTHCOM, I will advocate for National Guard defense support of civil authorities requirements for domestic operations and theater security cooperation in DOD's capabilities development, requirements generation and validation, programming systems, and for other National Guard requirements that pertain to other combatant commands. I will also coordinate with the Commander, NORTHCOM, regarding my communications with the Department of Homeland Security on matters of Homeland defense and defense support of civil authorities policy and resource allocation.

*Question.* The Assistant Secretaries in the Military Departments responsible for Reserve matters.

Answer. The Assistant Secretaries in the Military Departments responsible for Reserve matters shall have as their principal duty the overall supervision of manpower and Reserve component affairs of their respective Military Departments. If confirmed, I will establish a close working partnership with the assistant secretaries. As directed by the Secretary of Defense and the Service Secretaries, I will coordinate with the assistant secretaries those matters requiring Service action or coordination that have been assigned or delegated to the assistant secretaries in law or policy.

*Question.* The Directors of the Army National Guard and the Air National Guard.

Answer. The Director of the Army National Guard and the Director of the Air National Guard shall assist the CNGB in carrying out the functions of the NGB as they relate to their respective branches. The Office of the Director, Army National Guard is composed of the Director, Army National Guard; Deputy Director, Army National Guard; Executive Office; the Army National Guard Readiness Center; and appropriate operating divisions as may be prescribed. The Office of the Director, Air National Guard is composed of the Director, Air National Guard; Deputy Director, Air National Guard; Executive Office; the Air National Guard Readiness Center; and appropriate operating divisions as may be prescribed. If confirmed, I will continue the close relationships between the CNGB and the Directors established by my predecessors in order to perform the duties of the Chief with regard to the Services prescribed by law and policy.

*Question.* The assistants to the Chairman of the Joint Chiefs of Staff for Guard and Reserve Matters.

Answer. Established by law in 1998, the assistants to the Chairman of the Joint Chiefs of Staff for National Guard and Reserve Matters serve the Chairman and coordinate with the Joint Staff. The assistant to the Chairman for National Guard Matters is an adviser to the Chairman on matters relating to the National Guard and performs the duties prescribed for that position by the Chairman. The assistant to the Chairman for Reserve Matters is an adviser to the Chairman on matters relating to the Reserves and performs the duties prescribed for that position by the

Chairman. If confirmed, and in coordination with the Chairman of the Joint Chiefs of Staff, I will closely coordinate with the assistants to ensure they are fully informed and able to provide the best advice based on the most current information. In the National Guard and Reserve Matters role, the assistants are in unique positions to interface both with the Chairman's staff and Guard and Reserve staffs. Their access enables them to identify and advise when issues are diverging or potential misunderstandings have or are about to arise. They are valuable liaisons who contribute insights and provide timely subject matter expertise on Reserve component issues. As such, I envision no change to the collaborative relationship with them, and foresee their staff teaming with the NGB staff with a common purpose.

*Question.* The Chiefs of Reserves of each of the Services.

Answer. The Chiefs of the Service Reserves are the principal advisors to the Service Secretaries on Reserve matters. If confirmed, I will closely coordinate with the Chiefs matters concerning or affecting the National Guard that have implications across all Reserve components.

*Question.* The Reserve Forces Policy Board.

Answer. The Reserve Forces Policy Board serves as an independent adviser to the Secretary of Defense to provide advice and recommendations to the Secretary on strategies, policies, and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the Reserve components. If confirmed, and at the request of the Service Secretaries, I will nominate officers or retired officers of the Army and Air National Guard for recommendation by the Service Secretaries to the Secretary of Defense for appointment to the Board. Upon request of the Secretary of Defense, I will nominate officers of the Army and/or Air National Guard to serve as Board members or as staff to the Board. Upon the request of the Board, I will make available members of the NGB or of the National Guard available as witnesses or subject matter experts to assist the Board in performing its functions.

*Question.* The State and Territorial Governors.

Answer. Although a matter of State or Territorial law, generally, the Governor acts as commander in chief of the National Guard of that jurisdiction. If confirmed, I will act as the channel of communication between the States and the Departments of the Army and Air Force for all matters involving the National Guard. I will act as the focal point at the strategic level for National Guard matters that are not under the authority and direction of the Secretaries of the Army and Air Force, including joint, interagency, and intergovernmental matters where NGB acts through other DOD officials as specified in law or policy. I will assist the Governors at their request, both individually and collectively, regarding specific National Guard matters of concern. Upon request of the Secretary of Defense, I will participate in the meetings of the Council of Governors and exchange views regarding the matters delineated in E.O. 13528.

*Question.* The Adjutants General of the States and Territories.

Answer. There is an Adjutant General in each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands. The Adjutant General performs the duties prescribed by the laws of that jurisdiction. The Adjutant General of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands, shall make such returns and reports as the Secretary of the Army or the Secretary of the Air Force may prescribe, and shall make those returns and reports to the Secretary concerned or to any officer designated by him. If confirmed, I will establish a close relationship with each Adjutant General; that Adjutant General (or, in the case of the District of Columbia, the Commanding General) will serve as the focal point for communications between the State, Territory, or District, and the NGB.

*Question.* Do you believe that the statutory designation of the CNGB as a member of the Joint Chiefs of Staff has materially changed how the Chief participates, or should participate, in major force structure decisions by DOD, including decisions relating to the disposition of military personnel or property? If so, please explain.

Answer. Addition of the CNGB as a statutory member of the Joint Chiefs of Staff requires the Chief to fully participate and contribute effectively to the assessment and advisory processes of the Joint Chiefs of Staff. The NGB has undertaken Project Muster, a collaborative effort recently briefed to the Joint Chiefs, to identify and implement the actions required to enable the Chief of the NGB to better fulfill these statutory responsibilities, without requiring additional staff or resources at the Bureau. I expect that the Project Muster initiatives, which include revisions in the staff processes and organization of the NGB, will provide a framework for complying fully with the recent changes to sections 151 and 10502 of title 10, U.S.C.

The statutory designation of the CNGB as a member of the Joint Chiefs of Staff clarifies and enhances the ability of the CNGB to participate fully in all Joint Chiefs of Staff advisory and assessment processes, including those related to resource re-

quirements and priorities. If confirmed, I look forward to working with the members of the Joint Chiefs of Staff, the Joint Staff, and the State Adjutants General as a full participant in these joint processes.

ROLES AND MISSIONS

*Question.* Some have expressed concern about the use of the Reserve components as an operational reserve and the regular mobilizations of National Guard members.

Do you believe that the use of Reserve components as an operational reserve and regularly mobilizing the National Guard is an appropriate use of these forces?

Answer. Over the last decade, the Reserve components have evolved into an operational force. The Army and Air National Guard are now a more ready and more rapidly deployable force. The soldiers and airmen of the National Guard have proven they are an operational force and a critical component of DOD warfighting capability. This investment and experience should not be squandered.

The National Guard has a unique dual role, but first and foremost the Army and Air National Guards are Reserve components of the Active Army and Air Force. The National Guard trains and equips its soldiers and airmen to support the defense strategy as an operational force that is regularly mobilized. Regularly mobilizing the National Guard is a logical and appropriate use of the force, particularly if the Active components downsize and budgets are constrained.

*Question.* Do you think the role of the Reserve components should change, and, if so, how?

Answer. The Reserve components should remain an operational force, fully integrated into the Active components.

*Question.* Are you concerned that such use will have an adverse effect on recruiting and retention in the National Guard?

Answer. In my experience, National Guardsmen feel as if they are part of the Total Force. Since September 11 the National Guard's contributions have strengthened that belief and have led to historic recruiting and retention levels.

*Question.* If confirmed, what actions will you take to enhance recruiting and retention of experienced members of the National Guard?

Answer. The National Guard is made-up of seasoned combat veterans and has historically high retention levels. In a time of constrained budgets it is important that experience is retained and that only the most highly qualified individuals are recruited. If confirmed, I will review any impediments to those goals and work with the Military Departments to determine if the National Guard is the best place for separating Active component servicemembers.

NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE

*Question.* Included in the fiscal year 2013 budget request was a plan by the Air Force to retire or realign various aviation units, and to cut 9.9 thousand personnel from the rolls, including 3.9 thousand Active Duty personnel, 5.1 thousand from the Air National Guard and 0.9 thousand from the Air Force Reserve. These changes would represent a reduction of 1.2 percent, 4.8 percent, and 1.3 percent, respectively, of force structure for each component. Instead of adopting this recommendation, the Armed Services Committee instead recommended establishment of a national commission on the structure of the Air Force to provide alternative recommendations to Congress.

What are your views on the relative balance of the proposed Air Force reductions, with the heaviest proportional cut falling to the Air National Guard?

Answer. The National Guard and Reserve components have demonstrated that they are an invaluable resource to DOD. The Air National Guard in particular provides all aspects of support to the Air Force, including combat and mobility aircraft. While the entire Department looks to address constrained budgets, decisions must be based on their impact to the new defense guidance. A pure numbers approach to balancing the force does not guarantee the best measure to achieve our national security goals.

*Question.* What level of input should the CNGB have on force structure or resource allocations within the Military Departments, and how should those recommendations be made?

Answer. The CNGB, with assistance from the Directors of the Army and Air National Guard, provides input on force structure and resource allocations to the Military Departments. The Directors of the Army and Air National Guard and their directorates represent the National Guard within the internal deliberations of the respective Military Departments. The Directors, as general officers within their Military Departments, are the best advocates to discuss force structure and resource allocations and present National Guard recommendations.

ENHANCED RESERVE MOBILIZATION AUTHORITIES

*Question.* In the National Defense Authorization Act for Fiscal Year 2012, Congress authorized the Service Secretaries to order units of the Selected Reserve to Active Duty in support of pre-planned missions in support of combatant commands for up to 365 consecutive days (title 10 U.S.C. 12304b). In the new defense strategy announced in January, the President and Secretary of Defense stated that while conventional ground forces will be reduced, a key component of the new strategy is establishment of a rotational presence in Europe, the Middle East, and anywhere U.S. interests are threatened or can potentially be promoted.

What is your assessment of the Reserve component in general, and the National Guard in particular, as an operational reserve and how it will fit into this new paradigm of forces rotating into and out of multiple locations of strategic interest?

Answer. The Reserve components in general, and the National Guard in particular, are well suited to remain an operational force and support the new defense guidance on a rotational basis. Over the last decade, both the Army and Air National Guard have demonstrated their ability to deploy and project power around the globe. While providing forces for Overseas Contingency Operations, the National Guard has also deployed around the world to support every combatant commander. The National Guard's experience providing forces to the Multinational Force and Observers in the Sinai and as part of the Kosovo Force mission provide a template for rotating National Guard units into and out of multiple locations of strategic interest.

*Question.* Do you see a role for National Guard units as rotational forces using this new authority? If so, what is your understanding and assessment of that role?

Answer. The changes made in the National Defense Authorization Act for Fiscal Year 2012, that authorize the Service Secretaries to order units of the Selected Reserve to Active Duty in support of pre-planned missions in support of combatant commands for up to 365 consecutive days has made the National Guard more accessible for predictable, operational missions. With the implementation of the Army Force Generation (ARFORGEN) cycle as well as this new law, the Nation's leaders now have greater flexibility, predictability and choice in how they deploy Reserve component forces. It is my hope to see National Guard units deployed to locations of strategic interest in the same roles that Active component units would fill.

*Question.* In light of the new defense strategy, do you believe the size and the makeup of the National Guard are appropriate?

Answer. If confirmed, I will review proposed requirements and missions, domestically and abroad, at which time I will be better able to fully comment on the size and makeup of the National Guard.

*Question.* Congress also authorized the Secretary of Defense to order Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve units and members not assigned to units to Active Duty for up to 120 days in response to a Governor's request for Federal assistance in responding to a major disaster or emergency. The legislation provides that when these forces, Active-Duty Forces, and the National Guard are employed simultaneously in support of civil authorities, appointment of a dual-status commander should be the usual and customary command and control arrangement.

What is your view of this authority?

Answer. The authority to use the capabilities inherent in all the Reserve components can only enhance the Department's ability to provide support to civil authorities. The National Guard will remain the primary military force to respond to domestic emergencies and support the Nation's Governors. This additional authority retains the usual and customary command and control arrangement and supports the principles of federalism enshrined in the Constitution while assuring that all DOD assets are available during a major disaster or emergency.

*Question.* In your view, can a single officer serve in both a State and Federal capacity and effectively exercise both State and Federal responsibilities?

Answer. My current assignment as the Deputy Commander of NORTHCOM has provided the opportunity to see first-hand that a single officer can serve in both a State and Federal capacity and effectively exercise both responsibilities. National Guard and Active component officers regularly work as one-integrated-unit while deployed overseas. This spirit of partnership functions just as well during domestic events.

A single officer, serving in both a State and Federal capacity reinforces the Federal system while mitigating the complications that arise during domestic operations. A trained dual-status commander can navigate the two distinct chains of command flowing from separate sovereign authorities. These commanders are able to provide State authorities with information about Federal capabilities and provide

a local knowledge base to Federal authorities. In exercising both State and Federal responsibilities, Dual Status Commanders ensure both National Guard and title 10 forces work in concert.

*Question.* In your view, what are the advantages and risks of such an arrangement?

Answer. The statutory authority which allows a National Guard officer to serve in both a Federal and State status while serving on active duty in command of a National Guard unit provides unity of effort and facilitates the maintenance of a common operating picture for both the Federal and State military chains of command. This command option provides operational flexibility for commanders, increasing the capabilities that are available to respond to domestic crises. As the Deputy Commander at NORTHCOM, I had the opportunity to witness the success of this concept when it was exercised. The concept, however, requires Secretary of Defense authorization so one of the risks would be whether we are able to implement this concept quickly enough to be operationally effective. This risk has been mitigated in many cases with the selection and extensive training of contingent Dual Status Commanders. If confirmed, I will review the current application of this concept to determine how it may be optimized.

*Question.* If confirmed, what actions will you take to minimize the risk?

Answer. If confirmed, I will work with Congress, NORTHCOM, the Military Departments, and the Nation's Governors to promote robust training and education experiences for all parties involved in domestic responses.

HOMELAND DEFENSE AND CIVIL SUPPORT

*Question.* The Commission on the National Guard and Reserves recommended that DOD determine the existing capabilities of the Active and Reserve components that could fulfill civil support requirements and rebalance them where appropriate, shifting capabilities determined to be required for State-controlled response to domestic emergencies to the National Guard, and shifting capabilities currently resident in the National Guard that are not required for its state missions but are required for its Federal missions either to the Federal Reserve components or to the Active Duty military.

What do you see as the appropriate role of the National Guard in homeland defense and civil support?

Answer. The National Guard is the primary military force in homeland defense and civil support. The National Guard protects the Homeland and provides support to civil authorities in State Active Duty, title 32, and title 10 statuses. The National Guard is a resource to both State and Federal authorities. When called-upon by Governors, the National Guard supports a myriad of domestic events and supports first-responders. As the Deputy Commander of NORTHCOM, I have also seen the National Guard defend the Homeland as a Federal force on our borders and in the skies.

The National Guard must retain its dual role as our Nation's only military force with both State and Federal functions. In this capacity the National Guard provides an unrivaled resource for the States and provides the connective tissue between the military and the American people.

*Question.* Do you agree with the recommendation of the Commission on the National Guard and Reserves to rebalance the capabilities of the National Guard, shifting some capabilities to the Federal Reserve components or to the Active Duty military?

Answer. Having served as the Deputy Commander at NORTHCOM I have an appreciation for the requirements of the combatant commands. If confirmed, I will study the requirements needed within the States and seek guidance from the Adjutants General to develop a complete understanding of the capabilities need within the National Guard.

*Question.* What capabilities, if any, should receive increased emphasis in the National Guard?

Answer. While serving as the Deputy Commander of NORTHCOM, I was involved in the planning and execution of Federal missions in support of civil authorities. If confirmed, I will review all National Guard capabilities and requirements including those in support for Federal and State missions to ensure the optimal balance among State and Federal capabilities.

*Question.* What capabilities currently resident in the National Guard can we afford to trade for increasing emphasis on higher priority missions?

Answer. If confirmed, and in partnership with the Directors of the Army/Air National Guard, and the Adjutants General, we will comprehensively review if the Na-

tional Guard can afford to trade missions for increasing emphasis on higher priority missions?

COMBAT AND CIVIL SUPPORT ROLES OF THE RESERVE COMPONENT

*Question.* In an April 21, 2008, letter to the committee, then-Chairman of the Joint Chiefs of Staff, Admiral Michael Mullen, provided an assessment of the final report of the Commission on the National Guard and Reserves. Admiral Mullen wrote, "I have some concern with the Commission's ideas on enhancing the Defense Department's Role in the Homeland. While Reserve component civil support requirements are important, they should not be of equal importance to DOD combat responsibilities."

Do you agree with Admiral Mullen's view?

Answer. The new defense guidance recognizes that "threats to the homeland may be highest when U.S. forces are engaged in conflict with an adversary abroad." This statement encapsulates the evolving and asymmetric threats our Nation faces, and it reiterates the importance of the Homeland defense mission. Each mission is important, and in many instances the capabilities and responsibilities required for one mission compliment the other. Further, these missions are intertwined and should not be viewed as separate and distinct responsibilities, but rather they are supportive of each other.

RELATIONSHIP BETWEEN THE NATIONAL GUARD AND U.S. NORTHERN COMMAND

*Question.* You have served as both the Deputy Commander and the Director of Operations of NORTHCOM and you are keenly aware of the importance of having a close and collaborative relationship between NORTHCOM and the NGB and the State National Guard forces, particularly in relation to defense support to civil authorities missions.

If confirmed, how would you seek to maintain and improve the relationship between the NGB and NORTHCOM, particularly the planning, coordination, and collaboration among NORTHCOM, the NGB and the State National Guard forces?

Answer. If confirmed, I will continue the strong partnership that the NGB, NORTHCOM, and the Adjutants General have formed. Planning, coordination, and collaboration are imperative to maintain a first-rate capability to provide support to civil authorities. I will follow the precedent set by General McKinley and continue regular conversations with the Commander of NORTHCOM. I will also continue NGB participation in domestic preparedness workshops, readiness exercises, and training with local and State responders to ensure a whole-of-government, whole-of-community approach to domestic response.

WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS

*Question.* The DOD Inspector General recently issued a report that found inadequate oversight of the National Guard's Weapons of Mass Destruction Civil Support Teams (WMD–CSTs) and recommended improvements for the NGB oversight of the WMD–CSTs.

Do you agree that it is important to ensure that the NGB provides strong oversight of its WMD–CSTs?

Answer. Yes. I feel that it is imperative that the NGB continue to provide strong oversight of these State assets consistent with both congressional and DOD intent and directives, as well as, published Bureau guidance. During my time as Deputy Commander of NORTHCOM, I have seen the importance of WMD–CST Programs. These elements play an important role in supporting our Nation's first responders for actual or suspected chemical, biological, chemical or radiological incidents and serving as the lead military response unit for the Department's Chemical, Biological, Radiological, Nuclear, and High Explosives Response Enterprise forces.

If confirmed, I will continue to utilize existing policies, plans and procedures to provide oversight of these assets. I will continue to monitor the monthly readiness status of each WMD–CST through the State Headquarters reporting process. I will also continue to work collaboratively with the NGB's State and Federal mission partners to ensure these teams are thoroughly prepared to assist civilian authorities during domestic emergencies.

*Question.* If confirmed, what steps, if any, would you take to ensure strong NGB oversight of the WMD–CSTs?

Answer. If confirmed, I will ensure strong NGB oversight over WMD–CSTs through review, evaluation, and enhancement of the policies, processes, and management controls of the WMD–CSTs.

STATE PARTNERSHIP PROGRAM

*Question.* The SPP is favorably regarded by senior defense officials as part of the New Strategic Defense Guidance as a key security engagement tool investigation for Anti-Deficiency Act (ADA) violations and the Government Accountability Office (GAO) recently found that DOD is not able to account and coordinate its activities. The findings suggest that the NGB must make adjustments in its administration of this program. GAO's report found a lack of clear program metrics and inconsistent data on program activities, among other findings.

Do you agree with these findings? If so, what steps would you take to address GAO's recommendations?

Answer. It is my understanding that DOD has concurred with the GAO findings. The NGB and DOD are instituting all of the recommendations within the GAO report.

*Question.* In your view, what role, if any, should the Office of Secretary of Defense, Joint Chiefs of Staff, and State Department play in setting priorities and identifying activities for SPP?

Answer. The SPP is an innovative, low-cost, and small-footprint approach to achieve national security objectives. Celebrating nearly 20 years of enduring relationships with 63 countries, the National Guard's SPP provides unique military-to-military activities with partner countries using National Guard expertise. The SPP exists to best serve the requirements of partner states, combatant commanders, and ambassadors. Through these avenues, the priorities and activities for the SPP are set by DOD and Department of State leadership. If confirmed, I will ensure that the SPP activities fall within the guidance of the Office of the Secretary of Defense, the Joint Chiefs of Staff, and the State Department.

*Question.* In your view, can SPP engagement be more thoroughly integrated into the geographic combatant command theater security engagement plans? If so, how?

Answer. SPP engagements support the national interest and security cooperation goals. The program provides a whole-of-government approach to partnership building throughout the combatant commands. Each partnership is coordinated through the combatant commanders, ambassadors, and other appropriate agencies. It is vital that the program remain an asset to the combatant commanders and integrated with their theater security engagement plans. If confirmed, I will review the program including its current authorities and work with the combatant commanders to determine whether the program is adequately supporting their theater security engagement plans.

*Question.* In your view, what is the role of the Adjutants General in SPP? Should any changes be made to their role? If so, what changes? If none, why not?

Answer. The States, Territories, and the District of Columbia are currently partnered with 63 nations. As the senior officials from each State, the Adjutants General are the face of the Program and act as ambassadors for the National Guard and the State. The Adjutants General in coordination with COCOMs and Ambassadors direct the activities of those involved in the Program and work directly with partner nations in support of COCOM programs. The NGB continues to work with DOD to ensure that the program and its participants support the national security strategy. The Department is currently reviewing all partnership-building activities. If confirmed, upon completion of the review, I will determine if further changes to the Program are required to increase its effectiveness.

DUTY STATUS REFORM

*Question.* The Commission on the National Guard and Reserves found that "Today's 29 duty statuses are confusing and frustrating to both Reserve component members and their operational commanders. Servicemembers may encounter pay and benefit problems, including health care eligibility for their family members, when they transition between one or more duty status categories. Commanders may experience similar frustration when seeking to access, in a timely manner, Reserve component members needed to meet operational requirements." The Commission recommended that the number of duty statuses be reduced from 29 to 2. Similarly, the 11th Quadrennial Review of Military Compensation concluded that simplification of the duty system is called for and recommended that the number of authorities to order a member to duty be reduced to six.

What is your view on the need to reduce the number of duty statuses in which National Guard personnel serve?

Answer. I believe there is a need to reduce the number of duty statuses in which National Guard personnel serve. Simplicity and predictability are crucial to maintaining a useful personnel system.

*Question.* If you agree, do you support the recommendation of the Commission on the National Guard and Reserves to reduce the number of duty statuses to two, the recommendation of the 11th Quadrennial Review of Military Compensation to reduce the number of duty statuses to six, or do you recommend some other number of duty statuses?

Answer. I support the 11th Quadrennial Review of Military Compensation recommendation to reduce the number of duty statuses to six.

DRILL PAY

*Question.* The 11th Quadrennial Review of Military Compensation recommended replacing the current system of drill pay with a simpler approach—one day of regular military compensation would be paid for one day of Reserve duty, regardless of the type of duty. This would depart from long standing practice of paying a full day of drill pay for a 4-hour drill period.

Do you support this recommendation of the Commission?

Answer. If confirmed, I will make it a top priority to review the statutes and policies governing National Guard drill pay with special attention and focus on those statutes and policies identified in the 11th Quadrennial Review of Military Compensation. At that time I will be in a better position to evaluate this particular recommendation.

*Question.* In your view, what would be the impact on the National Guard of making such a change?

Answer. At this time I have not had the opportunity to evaluate the impact of this recommendation on the National Guard. If confirmed, I will work with the Directors of the Army and Air National Guard, the leaders of the other Reserve components, DOD leadership, and Congress to determine the specific impact of any proposed changes to current drill pay.

MOBILIZATION AND DEMOBILIZATION OF NATIONAL GUARD AND RESERVES

*Question.* Over the past decade, the National Guard and Reserves have experienced their largest and most sustained employment since World War II. Numerous problems arose in the planning and procedures for mobilization and demobilization, e.g., inadequate health screening and medical readiness monitoring, errors caused by antiquated pay systems, limited transition assistance programs upon demobilization, and lack of access to members of the Individual Ready Reserve. Reserve Force management policies and systems have been characterized as "inefficient and rigid" and readiness levels have been adversely affected by equipment stay-behind, cross-leveling, and reset policies.

What is your assessment of advances made in improving Reserve component mobilization and demobilization procedures over the past decade, and where do problems still exist?

Answer. I believe that there have been a number of advances made in improving Reserve component mobilization procedures. Efficiencies have been gained in the training strategy for mobilizing units, allowing Adjutants General to certify specific mobilization training tasks prior to units and soldiers reporting to the Mobilization Station have improved post mobilization training to 90 days or less. Additionally, the ARFORGEN model has allowed for better synchronization of manning, equipping, and training functions and resources. It has greatly improved predictability for our soldiers, families, and employers.

There have also been improvements made to the demobilization process. Since September 11 great improvements have been made in working with other enabling organizations. These organizations have enabled the demobilization process to be streamlined, ensuring each soldier receives the best of care in an expeditious manner. Upon demobilization, soldier's personnel and medical readiness is given the highest level of priority. The Yellow Ribbon Reintegration Program requiring units to conduct meetings at 30, 60, and 90 days post-deployment greatly assists with the difficult transition from Active Duty for traditional guardsman.

I am aware that problems still exist in the demobilization process and I also understand that the Army National Guard is working with the Army to improve this process. Reduction in the time it takes for a soldier to get to a Warrior Transition Unit after electing to receive care at the demobilization station is one example. In some cases it can take as long as 7–10 days after the soldier elects to go to the Warrior Transition Unit to receive the level of care needed.

*Question.* What do you consider to be the most significant enduring changes to the administration of the National Guard aimed at ensuring their readiness for future mobilization requirements?

Answer. I consider the increased funding over the last 10 years as the most significant enduring change that has increased readiness. This funding has improved equipment readiness and training to nearly the same levels as the Active components.

The establishment of predictable deployment cycles has also improved readiness. These cycles allows unit commanders to focus on building a unit's readiness through a progressive and structured approach that synchronizes the manning of units with soldiers available for deployment, the equipping of units with modernized equipment, and the training of soldiers and units to meet the challenges that will be faced in an operational environment.

*Question.* Do you see a need to modify current statutory authorities for the mobilization of members of the National Guard beyond the new mobilization authorities in the National Defense Authorization Act for Fiscal Year 2012?

Answer. I do not see a need to modify current statutory authorities for the mobilization of members of the National Guard. The current mobilization authorities provide access to the National Guard for operational missions ranging from full mobilization to supporting combatant command preplanned missions.

*Question.* Invisible wounds, such as Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), may not be manifest until months after demobilization.

If confirmed, what steps if any would you take to improve consistency of identification and referral for care for PTSD and TBI for members of the National Guard?

Answer. The invisible wounds of war, unlike physical injuries, are more difficult to diagnose and often have a stigma associated with them that impacts effective identification and referral. Also, in the National Guard, we have unique challenges related to duty statuses and eligibility for treatment which impact access to care once the need for treatment is identified. If confirmed, I will work to improve the safety net to allow soldiers with these wounds to obtain care at point of identification, regardless of their duty status.

*Question.* One of the key challenges facing DOD and the Department of Veterans' Affairs is improving the Disability Evaluation Process. According to the GAO, under the newly expanded Integrated Disability Evaluation System (IDES), members of the Reserves and National Guard experience longer transition times than members of the Active components.

What, in your view, are the unique challenges faced by the National Guard in the Disability Evaluation Process, and if confirmed, what steps if any would you recommend to mitigate these challenges?

Answer. Care of our wounded warriors must remain one of our highest priorities; as a nation, we owe them a debt that cannot be repaid.

In the National Guard, once soldiers reach the point in their injury or illness where they are determined to need a medical board, there are long delays, often years. They also face many obstacles to actual entry into the integrated Disability Evaluation System, followed by a prolonged processing period. If confirmed, I will be committed to ensuring that National Guardsmen receive the same priority and timely processing that Active component servicemembers receive. I will work toward an automated process that will allow the least disruption to their civilian responsibilities by leveraging local Veterans Affairs facilities and information technologies where feasible. I will also review all policies and statutes that impact the Disability Evaluation System and recommend appropriate revisions to senior defense leaders.

LESSONS LEARNED

*Question.* What do you believe are the major personnel lessons learned from Operation Enduring Freedom (OEF), Operation Iraqi Freedom (OIF), and Operation New Dawn that you would seek to address if confirmed?

Answer. I believe that these major contingency operations have demonstrated the skill, dedication, and determination of Army and Air National Guardsmen. These contingencies have also shown that transition assistance for members of the Reserve component and the demobilization process is every bit as important as readiness and the mobilization process.

OPERATIONAL AND PERSONNEL TEMPO

*Question.* Current DOD policy is that Reserve component members should have 5 years of dwell time for each year they are mobilized.

What is your understanding and assessment of the current dwell time status of the National Guard?

Answer. All Reserve components are moving to a 1:5 dwell ratio. Within the National Guard, Army and Air National Guard units may currently be utilized at dif-

ferent ratios due to a number of factors. This dwell ratio allows for focused buildup of readiness toward a decisive point in readiness. It also allows predictable timelines for soldiers, their families, and their employers. Both the Army and Air National Guard are structured to support a 1:5 dwell ratio, and it is my understanding that the Adjutants General have agreed to and expect this ratio will be observed for future operations.

*Question.* What is your view of the achievability of this goal? If confirmed, what measures would you take to achieve this goal within 5 years?

Answer. Dwell ratios can be impacted by numerous factors. Within the Air National Guard, unit and aircraft types as well as volunteerism will impact dwell time. Additional unforeseen contingencies would also impede the goal of a 1:5 dwell ratio. If confirmed, I will work with the Directors of the Army and Air National Guard to determine the steps needed to achieve and maintain the goal of a 1:5 dwell time ratio. I will review readiness and training levels to ensure our units can meet that ratio and that the National Guard creates no impediments to achieving that goal.

*Question.* In your view, is a 1:5 dwell time ratio for the National Guard adequate to sustain favorable employer relationships?

Answer. A constant and defined dwell time ratio provides predictability for National Guardsmen, their families, and employers. This predictability allows employers to plan for the eventuality of deployments leaving employers in a strong position to support soldiers and airmen. Predictability also provides the opportunity for soldiers and airmen to plan for deployments and work with employers on their eventual return. A 1:5 dwell time adequately provides that predictability. This dwell time ratio allows citizen-soldiers and airmen the opportunity to serve their nation while providing employers with an extended and predictable period of time to utilize employees and plan for their absence.

*Question.* Has the shift of resources from Iraq to Afghanistan affected dwell-time ratios in the National Guard?

Answer. DOD has worked hard to set predictable dwell-time ratios for the Reserve component. The shift in resources from Iraq to Afghanistan and the reduction in demand that has resulted from the shift will provide a greater opportunity to meet the 1:5 dwell-time ratio.

*Question.* What is your understanding and assessment of measures taken to respond to operational requirements for low-density, high-demand units and personnel whose skills are found in the National Guard?

Answer. The National Guard has made great strides in promoting the 1:5 dwell ratio. Certain personnel and units within the National Guard, however, will have higher operational demands. If confirmed, I will continue to work with the Military Departments and the combatant commanders to determine the best and most equitable way to utilize low-density, high-demand units and personnel within the National Guard.

STRESS ON FAMILIES

*Question.* National Guard and Reserve families have been under great stress since 2001 as a result of multiple and lengthy deployments in OIF and OEF.

In your view, what are the key indicators of the stress on National Guard families at this time?

Answer. In our All-Volunteer Force, the foremost indicator of stress on National Guard families is the retention rate of servicemembers. It has often been said that if a member decides to re-enlist, then the family also decides to re-enlist. Many National Guardsmen volunteered to join and re-enlist after September 11, fully aware of the deployment tempo. What matters most for National Guard families is predictability of deployment schedule, dependability of military pay and benefits, continuity of healthcare, and security of employment, both military and civilian.

*Question.* If confirmed, what will you do to address these key indicators?

Answer. National Guard retention rates remain strong, but we must continue to mitigate the factors that place great stress on National Guard families. The Air Guard AEF cycle and the Army's ARFORGEN deployment cycles have brought predictability to unit deployment schedules. If confirmed, I will: continue to stress the importance of identifying which individuals will deploy earlier than called for by the respective deployment cycles; work with the Military Departments to limit pay errors; push to ensure that servicemembers are given adequate notice and fair treatment when force structure changes are decided; and ensure that National Guard programs meant to limit stress are reviewed to ensure they are evidence-based with defined metrics and specific outcomes measured.

*Question.* What do you consider to be the most important family readiness issues in the National Guard?

Answer. I believe the most important family readiness issues in the National Guard are:

(1) Predictability of deployment schedule;
(2) Dependability of military pay and benefits;
(3) Continuity of healthcare; and
(4) Security of employment (both military and civilian).

*Question.* If confirmed, how would you manage costs and at the same time ensure support for National Guard families, particularly those who do not reside near an Active Duty military installation, related to mobilization, deployment, and family readiness?

Answer. Managing the costs while ensuring support for National Guard families is a major challenge. Much of the airman, solider, and family support is funded through Overseas Contingency Operations accounts. As deployment tempos decrease, that funding will also decrease. If confirmed, I will work with Congress and the Department to seek adequate support funding is included in future year budgets. It is imperative that funding is spent on what each family needs. If confirmed, I will count on the Adjutants General of each State to identify the most urgent needs for support in their state so that families receive the most effective support possible.

*Question.* If confirmed, what additional steps would you take to ensure that family readiness needs, including child care, are addressed and adequately resourced, and that costs are managed?

Answer. If confirmed, I will work to develop objective measures of effectiveness for each of our family readiness initiatives and fund those with the highest return on investment. The challenge in doing so has always been finding a method to measure things that do not happen. For example, how do you measure how many marriages do not end as a result of a program's successes? How many children do not struggle in school because of the support they have received? How much financial mismanagement is avoided because of the education provided to families? I will also utilize existing national resources, synchronized with community based services. These programs are important to the quality of life of our National Guardsmen and their families, and I will work to ensure that these programs are always adequately resourced and effectively managed.

NATIONAL GUARD UNEMPLOYMENT AND TRANSITION ASSISTANCE

*Question.* Many National Guard members return from deployment and cannot find employment or are under-employed.

If confirmed, how will you address unemployment issues of National Guard members returning from deployment?

Answer. I am very concerned with the employment status of our citizen-soldiers and airmen. Multiple deployments and a slow economy have contributed to high unemployment rates across the Armed Forces. Unemployment is especially difficult for members of the Reserve components. In my experience, I believe that employment is a readiness issue because employed servicemembers experience less personal stress and are better trained and prepared for deployments and State emergencies.

Unemployment must be addressed at many levels. If confirmed, I will work with this committee, the Directors of the Army and Air National Guard, the Military Departments, and DOD to address unemployment issues of returning National Guardsmen. I will review existing programs to ensure that National Guardsmen and their spouses have the resources to find jobs and get the education and training they need to compete for new jobs. I will also work with the Departments of Veterans Affairs and Labor to ensure that the Veterans Opportunity to Work Act is fully implemented and that citizen-soldiers and airmen have access to transition assistance services after separating from Active Duty. If confirmed, I will also work very closely with the Adjutants General to assist them in their aggressive development of local employment programs that leverage Federal, State, and local resources to assist unemployed guardsmen.

MEDICAL AND DENTAL READINESS OF NATIONAL GUARD PERSONNEL

*Question.* Medical and dental readiness of Reserve component personnel remains an issue of significant concern to the committee, and shortfalls that have been identified have indicated a need for improved policy oversight and accountability.

If confirmed, how would you seek to clarify and coordinate reporting on the medical and dental readiness of the National Guard?

Answer. If confirmed, personnel readiness of the National Guard will be one of my highest priorities. Medical and Dental Readiness is central to personnel readi-

ness and our reporting metrics must reflect that accurately. I will work to determine that the correct metrics are used to determine the effectiveness of current programs.

*Question.* How would you improve on the ability to produce a healthy and fit National Guard?

Answer. Medical readiness is the first step in ensuring a healthy and fit force. One central tenet to medical readiness is that soldiers and airmen get annual health assessments and dental screenings; this ensures regular counseling for preventive health services and the early identification and treatment of disease. If confirmed, I will maintain the health of the force as a leadership priority. I will work to promote programs and policies which weave a seamless, continuous health care benefit for those who are serving and for those injured while serving, and model a leadership culture of mental, physical, spiritual, and emotional health and fitness.

HEALTH CARE FOR NATIONAL GUARD PERSONNEL

*Question.* Members of the National Guard who are ordered to Active Duty for more than 30 days are eligible for the same health care and dental benefits under TRICARE as other Active Duty servicemembers.

What is your view of the adequacy of health care for National Guard personnel?

Answer. I have found that the health care provided to Guard personnel while on active duty is world-class, and I commend the medical departments for their efforts. When National Guardsmen are not on active duty, the TRICARE Reserve Select Program is one of the most effective health care initiatives for Reserve component servicemembers and their families. The Program contributes greatly to both family support and servicemember readiness goals.

*Question.* What are your suggestions for improving continuity of care for members of the National Guard and their families?

Answer. National Guardsmen face unique issues navigating the current military health system, and this impacts their continuity of care. One area in need of improvement is the administrative interoperability between the Veterans Affairs and military health care systems. Unlike the Active component, Reserve component members move between the military medical care system and the Veterans Affairs system as many as a dozen times in their career. Improving the interoperability of medical records and reducing the administrative burden associated with the constant change in statuses will improve the continuity of care for members of the National Guard and their families.

If confirmed, I will engage with the Military Departments to provide the best possible health care for our soldiers and airmen. Nothing less is acceptable.

*Question.* TRICARE Reserve Select authorizes members of the Selected Reserve and their families to use TRICARE Standard military health care program at a subsidized rate when they are not on active duty.

What is your assessment of TRICARE Reserve Select and its level of utilization in the National Guard?

Answer. I want to thank Congress for providing this legislation. If confirmed I will study this issue and pledge to come back to you if further legislation is required.

*Question.* What impact has TRICARE Reserve Select had on recruiting for the National Guard?

Answer. I am not yet prepared to provide you an answer on the impact TRICARE Reserve Select has had on recruiting in the National Guard. If confirmed, I will review the program to assess its effectiveness and to ensure that National Guardsmen are receiving the best health care available.

*Question.* One of the major concerns for military family members is access to health care. Military spouses tell us that the health care system is inundated, and those stationed in more remote areas may not have access to adequate care, a particular concern for members of the Reserve components.

If confirmed, what steps would you take to ensure complete access to health care for the families of members of the National Guard?

Answer. Access to health care is a major concern for National Guardsmen and their families. As a Reserve component with members in each of the 54 States, Territories, and the District of Columbia, the National Guard must provide health care to members that are geographically dispersed, often to rural areas. Health care for servicemembers and their families is a readiness issue. If confirmed, I will work with the Department to determine a cost-effective method to ensure that all servicemembers and their families have access to quality health care.

NATIONAL GUARD EQUIPMENT AND READINESS

*Question.* Numerous changes to the roles and responsibilities of the National Guard and Reserves have occurred in recent years. Over the past 10 years, the

Army and Air Force have relied on their Reserve components, including the National Guard, to deploy in support of operations in Afghanistan and Iraq, as well as other operations worldwide. For example, to supply ready forces, the Army implemented a readiness model for its Active and Reserve components based on a cycle of increased equipping and training, culminating in a period of eligibility for deployment. Under this force generation system, Reserve units would be equipped and trained to readiness levels that mirror the Active Force at the time of deployment. The 2012 Defense Strategic Guidance stressed that the Department will need to examine the mix of Active and Reserve component elements best suited to the new strategy and stated that the pace of operations over the next decade will be a significant driver in determining an appropriate mix of active and Reserve component forces and level of readiness.

In your view, how will the reduced pace of operations in Afghanistan affect the active and Reserve component mix and capabilities and National Guard readiness?

Answer. The reduced pace of operations in Afghanistan will result in lower levels of mobilizations in the coming years. In the near future, the Active and Reserve component mix may be impacted more by budget constraints than reduced operations in Afghanistan. As that mix is reviewed, I anticipate that the National Guard will remain a proportional part of the Total Force in support of rotational deployments. In my view, as an operational force, the Army and Air National Guard are effectively postured for a focused buildup of readiness between rotations based on current deployment cycle policy.

*Question.* In your view, should the missions of the National Guard change to meet these new priorities?

Answer. The National Guard is well suited to support the new defense guidance. The National Guard is an operational force for domestic and overseas operations. The National Guard's missions encompass all aspects of the Total Force including projecting power, surging and regenerating forces, providing support to civil authorities, and providing unique and cutting-edge capabilities. Rather than change the missions of the National Guard, the National Guard should be considered as a force multiplier within DOD.

*Question.* If confirmed, what steps if any would you take to ensure improvement in continuity of care and consistency of health and mental health support for members of the National Guard?

Answer. If confirmed, I will follow the lead of General McKinley and make caring for the soldiers and airmen of the National Guard a top priority. There are currently a myriad of outreach programs across all of the States aimed at informing, educating, and training servicemembers, their families, and communities. It is important that all of these programs are reviewed to ensure that servicemembers receive only the most effective health and mental health care.

*Question.* What unique challenges if any are faced by redeploying members of the National Guard who need care for conditions including PTSD and TBI that are incurred during these members' military service? How, if confirmed, would you help ensure that these unique challenges are addressed?

Answer. The National Guard faces the unique challenge of a dispersed force. Injuries both visible and hidden may go unnoticed and untreated as National Guardsmen transition back to civilian life. While in civilian life these members may not seek the treatment they need for any number of reasons. Those injuries, especially PTSD, may go undiagnosed and lead to more serious complications. If confirmed, I will ensure that outreach remains a top priority of the National Guard and that the NGB continues to work to remove the stigma and barriers the soldiers and airmen face in seeking treatment.

READINESS REPORTING

*Question.* What is your understanding of the readiness reporting systems currently being used by the Services?

Answer. Defense Readiness Reporting System (DRRS) is the over arching system for all defense readiness reporting. This system includes several subsystems including but not limited to DRRS-Strategic and DRRS-Army.

*Question.* If confirmed, what improvements or changes to the readiness reporting system, if any, would you recommend?

Answer. At this time, I do not believe improvements or changes are needed to the readiness reporting system. If confirmed, I will review the system and its impact on the National Guard and will recommend any appropriate revisions.

*Question.* In your view, to what extent if any has the overall readiness of the Army and Air National Guard improved since Congress first started appropriating money for the National Guard and Reserve Equipment Account (NGREA)?

Answer. Today's National Guard is better equipped than any time in my National Guard career. As a result, National Guardsmen are able to train with the equipment they go to war with and better respond to domestic emergencies. The NGREA funding has performed a critical role in improving the Army National Guard's interoperability, modernization, and overall equipment posture in support of domestic and contingency operations. NGREA has also helped the Air National Guard modernize legacy aircraft. The readiness levels of the National Guard have been significantly improved because of NGREA.

DOD EFFICIENCY INITIATIVES AND BUDGET TOP LINE REDUCTIONS

*Question.* What is your understanding and assessment of the DOD efficiency initiatives and the role of the National Guard to reduce costs of administration and operations?

Answer. DOD is currently undertaking a comprehensive review to increase efficiencies, reduce overhead costs, and eliminate redundant functions. These efforts span the Department and include changes to major weapons programs, changes to management and support systems, and utilizing information technology. The efficiency initiative will allow the Department to reinvest funding in higher priority issues.

The NGB is already working to reduce costs of administration and operations. General McKinley has instituted Project Muster, a review of the NGB that will allow for a more efficient and effective organization. If confirmed, I will continue in that effort with the goal of reducing the cost of administration and operations.

*Question.* In your view what are the major risks for the National Guard associated with efficiencies related reductions and, if confirmed, how would you propose to manage those risks?

Answer. Potential reductions in National Guard force structure have been offered as part of this initiative. Any decisions to reduce or realign force structure must be assessed against current and future threats, both domestic and overseas, as well as the new defense guidance. If confirmed, I will be fully engaged in these discussions, and I will work with the Military Departments to ensure efficiencies gained will result in the most capable Total Force possible.

*Question.* Harvesting savings through process improvements and efficiencies has a mixed record of success in DOD. In your view, how likely is it that savings will be achieved in the National Guard?

Answer. I know that the NGB is taking this process very seriously. I have been made aware of Project Muster, a complete review of the organization that will identify and implement the actions required to enable the CNGB to better fulfill the Chief and Bureau's statutory responsibilities, without requiring additional staff or resources. If confirmed, I will be better able to provide this committee with information about the NGB's progress. I am confident that General McKinley's efforts are intended to find real savings and will result in a better NGB.

MILITARY CONSTRUCTION BUDGETS

*Question.* The overall budgets for military construction have been declining in recent years. The National Guard and Reserve's share has been particularly hard hit since a significant portion of funds dedicated to Guard and Reserve military construction were provided by congressionally directed spending.

If confirmed, how will you manage the National Guard's infrastructure requirements in light of these funding reductions?

Answer. The National Guard is located across the country in nearly every community. Adequate National Guard infrastructure is not only vital to maintaining readiness, it is also an essential part of these communities. Because National Guard units and their facilities are geographically dispersed, the National Guard is the connective tissue between the American people and their military. If confirmed it will be incumbent upon me to ensure the National Guard maintains adequate infrastructure across the country. Due to the decline in funding across the Department, I will continue to target the most critical training requirements at specific installations and ensure they are funded to meet the needs of the National Guard as an operational force.

NATIONAL GUARD BUDGETING

*Question.* If confirmed, what role would you play, if any, in the Department's budget formation process for the National Guard?

Answer. If confirmed I will provide strategic guidance to the Directors of the Army and Air National Guard as they work with their respective Military Depart-

ments. As needed, I will engage the members of the Joint Chiefs of Staff and act as channel of communication to raise the concerns of the Adjutants General.

*Question.* What is your understanding and assessment of DOD's annual budget process and the documentation of the priorities and proposed funding levels for equipment procurement for the National Guard? What changes, if any, would you recommend to the process or documentation of the equipment-related funding request for the National Guard?

Answer. Over the last decade, the Department has made great strides in providing transparency for the Reserve components budget and more specifically equipment-related funding. The annual budget request identifies the equipment requested for all the Reserve components, both within the Active component justification books and a separate procurement book for the Reserve components. The annual National Guard and Reserve Equipment Report also provides a review of the status of Reserve component equipment and requirement shortfalls. I have not had the opportunity to consider the issues of process and documentation, but if confirmed I will consult the Directors of the Army and Air National Guard to determine if further changes to the process and documentation are necessary.

*Question.* What is your understanding and assessment of the oversight of National Guard budget execution by the NGB, DOD, the Department of the Army, and the Department of the Air Force, particularly with respect to the transparency of the execution of annual appropriations for personnel, operations, and procurement? If confirmed, what actions, if any, would you take to improve this oversight?

Answer. It is my understanding that the CNGB provides oversight for the Army and Air National Guard Personnel, Operations and Maintenance, Military Construction, and National Guard and Reserve Equipment accounts totaling approximately $28 billion. The Departments of the Army and Air Force are responsible for National Guard procurement within their respective accounts. DOD retains responsibility to oversee various accounts that impact the National Guard, such as the Central Transfer Account. I am not yet prepared to provide you an answer regarding additional improvements or oversight that may be required. If I am confirmed, I will review the NGB's role in budget execution and work to improve the process and resolve any issues.

EVOLVING ROLES OF NATIONAL GUARD AND RESERVE IN THE DEFENSE ESTABLISHMENT

*Question.* The roles and responsibilities of the National Guard and Reserves have evolved over the last 20 years particularly given their successful preparation and participation in support of the wars in Iraq and Afghanistan. The practical result is that the Reserve component is now trained, equipped, and more ready than ever as an operational rather than a strategic reserve.

What is your understanding and assessment of the changes, if any, over the past 20 years in the required levels of readiness of the National Guard prior to mobilization?

Answer. Over the past decade, the National Guard has transitioned from a strategic reserve to an operational force. While less prevalent in the Air National Guard, the Army National Guard often found that equipment, training, and medical care had impacted readiness levels. The Departments of the Army and Air Force remedied these issues as it became apparent that the National Guard was needed during a time of ongoing contingency operations. I have been told that, when deployed, National Guardsmen are indistinguishable from their Active component brethren. This change reflects how seriously the Army and Air Force believe the National Guard is a part of the Total Force. It also reflects the commitment of the Department and Congress to ensure the National Guard has the equipment and training it needs to maintain a high level of readiness.

*Question.* In your view, how do, or should, these changes affect the manning, equipping, training, and budgeting for the National Guard as an operational reserve as opposed to its historical role as a strategic reserve?

Answer. In my view, this change has already occurred. Today, the National Guard is better equipped and trained than at any time in my career. This year, the Army National Guard budget request supports additional duty days and operational tempo to facilitate rapid deployment of functional and multi-functional units required to deploy on a compressed timeline. DOD has committed to maintaining the National Guard as an operational force. If I am confirmed, I will work to ensure the National Guard remains manned, equipped, trained, and resourced to remain a highly effective operational force.

*Question.* In your view, what changes, if any, are required to DOD or Military Department policies or programs to meet the Defense Strategic Guidance for the Re-

serve component as an operational reserve at acceptable levels of risk as established by DOD?

If confirmed, I will work closely with the Military Departments and the Directors of the Army and Air National Guard to determine if changes are needed to policies and programs to meet the Defense Strategic Guidance.

ARMY NATIONAL GUARD MODULARITY

*Question.* Modularity refers to the Army's fundamental reconfiguration of the force from a division-based to a brigade-based structure. Although somewhat smaller in size, modular combat brigades are supposed to be just as, or more, capable than the divisional brigades they replace because they will have a more capable mix of equipment—such as advanced communications and surveillance equipment. To date, the Army has established over 90 percent of its planned modular units, however, estimates on how long it will take to fully equip this force as required by its design have slipped to 2019.

What is your understanding and assessment of the Army National Guard's modularity transformation strategy?

Answer. I know the Army National Guard is well underway with transformation. Army National Guard brigade combat teams work in concert with the active Army and are able to deploy as a part of the Total Force.

*Question.* If confirmed, what actions or changes, if any, would you propose relative to the Army National Guard's modular transformation strategy?

Answer. If confirmed, I will work with the Director of the Army National Guard to ensure the Army National Guard provides the Total Force with fully integrated capabilities.

*Question.* What changes, if any, would you propose to the modular design, the mix of National Guard combat and supporting brigades, or modular unit employment to improve performance or reduce risk?

Answer. If confirmed, I will work with the Director of the Army National Guard to ensure the Army National Guard is providing the Active Army and the combatant commanders with the most effective and efficient force.

*Question.* With respect to the Army's modular combat brigade force structure design, General Dempsey's June 2011 pamphlet titled "CSA's Thoughts on the Army's Future," directs the Army to assess the feasibility of adding a third maneuver battalion to each heavy and infantry brigade where there are only two maneuver battalions now.

Answer. If confirmed, how would you propose to implement a decision to add a third maneuver battalion to the National Guard's armored and infantry brigades? What National Guard force structure or capabilities would you propose to reduce in order to increase maneuver forces within the combat brigades and stay within the end strength authorization?

I have not had the opportunity to review this proposal. If confirmed, I will work with the Director of the Army National Guard to determine the best force structure for Army National Guard armored and infantry brigades.

RESERVE FORCES POLICY BOARD

*Question.* What is your understanding and assessment of the appropriate role, function, and membership of the Reserve Forces Policy Board?

Answer. The Reserve Forces Policy Board serves as an independent adviser to the Secretary of Defense to provide advice and recommendations to the Secretary of Defense on strategies, policies, and practices designed to improve and enhance the capabilities, efficiency, and effectiveness of the Reserve components. The Board's role, function, and membership is prescribed in section 10301 of title 10, U.S.C. I believe the Board serves effectively as prescribed in statute, and no revision to its current role, function, or membership is required.

EMPLOYMENT OF FULL-TIME SUPPORT PERSONNEL

*Question.* Active Guard and Reserve personnel providing full-time support are not authorized to perform State Active Duty missions even in emergencies or disaster situations. On occasion, this can deny an important resource such as an aviation capability to a Governor in need of assistance.

Do you think, as a matter of policy, AGR members should be authorized in limited circumstances to perform limited State Active Duty missions?

Answer. During my time as Deputy Director of the Army National Guard, these issues came up and on occasion presented challenges. Full-time manning is critically important to the readiness of our National Guard formations. If confirmed, I will make review of this important issue a high priority.

*Question.* Under what circumstances, if any, do you believe such use should be authorized?

Answer. Immediate response to save life and limb immediately comes to mind. However, to fully respond to this question, I will need to carefully consider the secondary and tertiary impacts of any such policy change and, if confirmed, I will do so.

SEXUAL ASSAULT PREVENTION AND RESPONSE

*Question.* The Department has developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assault, including providing appropriate resources and care for victims of sexual assault. However, numerous incidents of sexual misconduct involving military personnel continue to occur.

In the context of the National Guard, do you consider the current sexual assault policies and procedures to be effective?

Answer. National Guard sexual assault policies and procedures follow the Department's policies and procedures for victim advocacy and response. If confirmed, I will continue to work with the Adjutants General to determine the best policies and procedures needed to support National Guardsmen in the States.

*Question.* What is your assessment of the adequacy of support systems and processes for victims of sexual assault in the National Guard?

Answer. If confirmed, I will make it a top priority to ensure the proper support systems and processes exist for victims of sexual assault. I am committed to keeping the faith of the All-Volunteer Force which includes providing the best and most effective support to victims of sexual assault.

*Question.* What is your assessment of the authorities available to National Guard commanders to hold assailants accountable for sexual assault?

Answer. While each State is different, National Guard commanders have a full range of options available to them under their States' individual military code to hold assailants accountable for sexual assaults. In addition, National Guard Commanders may seek to administratively address sexual assault matters, e.g., through separation if appropriate. National Guard Commanders may also refer allegations of sexual assault to the local civilian authorities. If confirmed, I will review the adequacy of these programs with my Chief Counsel and Chief of the Sexual Assault and Prevention program to determine whether we are doing the best we can for our soldiers and airmen. Nothing less is acceptable.

SUICIDE PREVENTION

*Question.* The number of suicides in the military, including in the National Guard, continues to be of concern to the committee.

If confirmed, what role would you play in shaping suicide prevention programs and policies for the National Guard to help prevent suicides and to increase the resiliency of Guardsmen and their families?

Answer. If confirmed, I will continue to make suicide prevention and resiliency training a top priority for the National Guard. I will continue to work with the Adjutants General to identify risk factors and provide National Guardsmen and their families with the outreach needed to provide the best resiliency training. I will also determine if there are additional steps the NGB and the Department can make to mitigate these tragedies, including additional funding if required.

REPEAL OF "DON'T ASK, DON'T TELL"

*Question.* What is your assessment of the effect in the National Guard of the repeal of the Don't Ask, Don't Tell policy?

Answer. The National Guard, like all members of the Active and Reserve component has instituted and embraced the repeal of the Don't Ask, Don't Tell policy. At this time, I know of no effects on recruiting, retention, or morale within the National Guard.

GI BILL BENEFITS

*Question.* Congress passed the Post-9/11 Veterans Educational Assistance Act in 2008 ("Post-9/11 GI Bill") that created enhanced education benefits for servicemembers who have served at least 90 days on Active Duty since September 11. Many National Guard personnel have earned these benefits by virtue of their mobilizations.

What is your understanding and assessment of the effect of the Post-9/11 GI Bill on recruiting and retention in the National Guard?

Answer. First I want to thank you for this legislation. Since WWII the G.I. Bill has provided significant returns to our soldiers and airmen and has deeply benefitted our Nation. Indeed no other program has delivered such outstanding opportunities for self improvement personal advancement and professional growth. If confirmed I will closely review the metrics regarding the GI Bill.

*Question.* What is your understanding and assessment of the sufficiency of the implementation plan for the transferability provisions contained in the act?

Answer. I have had the opportunity to speak with members of the National Guard and have heard firsthand the value this program has provided to many of their families. If confirmed I will evaluate what if any challenges exist in the implementation of these provisions.

*Question.* Montgomery G.I. Bill (MGIB) education benefits for members of the Selected Reserve under chapter 1606 of title 10, U.S.C., are an important recruiting and retention incentive. However, the level of the monthly benefit has not risen proportionately over time with that of MGIB benefits payable to eligible veterans under chapter 30 of title 38, U.S.C.

What is your view of the adequacy of the current monthly benefit levels under the MGIB for the Selected Reserve?

Answer. I am currently unfamiliar with any issues with the current monthly benefit levels under the MGIB. If confirmed, I will work with Congress and this committee to ensure National Guardsmen receive adequate monthly benefits under the MGIB.

*Question.* Would you recommend any changes to this program?

Answer. If confirmed, I will work with the Department and the Directors of the Army and Air National Guard to identify specific changes or improvements needed to MGIB benefits.

YELLOW RIBBON REINTEGRATION PROGRAM

*Question.* Congress established the Yellow Ribbon Reintegration Program in the National Defense Authorization Act for Fiscal Year 2008 to improve access to a broad range of family support programs before, during, and following deployments. The committee has learned that in fiscal year 2012, nearly 30 percent of the funds appropriated for support of the Yellow Ribbon Reintegration Program will be allocated to employment and hiring initiatives for members of the Guard and Reserve, including funding of 60 employment specialists to coordinate State and local employment initiatives.

What is your understanding and assessment of the Yellow Ribbon Reintegration Program resources and how available resources are allocated among needed services, including counseling, substance abuse and behavioral health support, all of which are provided to members of the National Guard upon return from deployment?

Answer. The Yellow Ribbon Reintegration Program empowers servicemembers and their families with information and resources to prepare for the entire deployment cycle (pre-deployment, during deployment, and post-deployment). Reserve component servicemembers and their families are often geographically separated from the support of a military community and therefore require a different level of outreach to ensure awareness of programs and resources. This proactive support program leverages existing resources, provides education, and employs referrals to services in order to support families in safe, healthy, and successful experiences during the deployment cycle.

*Question.* If confirmed, what changes, if any, would you propose to redistribute resources to best provide for the range of services intended by the Yellow Ribbon Program.

Answer. The overseas draw-downs and projected reductions in Overseas Contingency Operations funding will result in decreased funding for the Yellow Ribbon Program. If confirmed, I will work to ensure those reductions are proportional to the decreases in mobilization/deployment frequency so that the projected funding reductions do not negatively impact the National Guard's ability to manage and operate the program.

On a strategic level, it is vitally important that the National Guard is funded to maintain a residual level of Yellow Ribbon expertise and programs in the post Overseas Contingency Operations era. This residual capability will help ensure enduring continuity of deployment cycle support and Yellow Ribbon support, as required by law and regulation, for applicable non-combat missions and stateside deployments. As deployments change there is a potential for requirement changes within the Yellow Ribbon program. If confirmed, I will ensure that resources are dedicated to the most pressing areas based on future demands.

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 CNGB?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings, and other communications of information are provided in a timely manner to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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## [Questions for the record with answers supplied follow:]

### QUESTION SUBMITTED BY SENATOR MARK BEGICH

NATIONAL GUARD AIRCRAFT IN ALASKA

1. Senator BEGICH. General Grass, like my colleagues, I am a big supporter of the National Guard. The National Guard is critical to our Nation's defense and our States, especially in Alaska, where they conduct the most search-and-rescue missions on an annual basis than any other State. The Army is retiring the Sherpa aircraft. Alaska will lose all eight of the aircraft and not receive a new mission or platform to fill the void. If confirmed, will you commit to evaluating the Alaska National Guard's inventory to determine if requirements will still be met after divestiture of older platforms?

General GRASS. Earlier this year, General McKinley commissioned a study specifically designed to evaluate the entire fixed wing and rotary wing fleet disposition of the National Guard. Unlike most studies that focus solely on overseas warfighting requirements, the Chief, National Guard Bureau (NGB) study will include domestic requirements. Toward this end I commit to evaluating the Alaska National Guard's inventory to determine if requirements will still be met after divestiture of older platforms.

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### QUESTIONS SUBMITTED BY SENATOR JOE MANCHIN

NATIONAL GUARD ROLE IN EMERGENCY AND DISASTER RELIEF

2. Senator MANCHIN. General Grass, the recent storms that hit West Virginia left over a third of our State without power. In the following weeks, many West Virginians were without access to electricity, clean water, or medical treatment. Fortunately, the West Virginia National Guard did an outstanding job distributing food and water, providing ice to keep life sustaining medications cold, and maintaining generators and portable oxygen tanks for the disabled, the elderly, and our miners. These storms also knocked out public services to most surrounding States, which highlights the need for National Guard units to effectively work with Federal agencies in times of disaster or emergency. Can you describe the National Guard's current relationship with the Department of Homeland Security (DHS), the Federal Emergency Management Agency (FEMA), U.S. Northern Command (NORTHCOM), and any other Government entity with which the National Guard would work during these types of situations?

General GRASS. The NGB has a strong relationship with DHS, FEMA, and North American Aerospace Defense Command (NORAD)–NORTHCOM. To maintain that

relationship, the NGB has liaison officers at DHS and FEMA, as well as the National Guard Integration Office at NORAD–NORTHCOM. The Chief of the NGB regularly communicates with all of the leaders of these organizations and participates in interagency training and preparation scenarios.

3. Senator MANCHIN. General Grass, are you comfortable with the National Guard's ability to coordinate efforts and manpower with Federal agencies?

General GRASS. The National Guard has made great strides while constantly working to improve its ability to coordinate with other Federal agencies. The NGB is the focal point at the strategic level for National Guard matters that are not under the authority and direction of the Secretaries of the Army and Air Force, including joint, interagency, and intergovernmental matters where NGB acts through other Department of Defense (DOD) officials. The Chief also serves as an advisor to the commanders of the combatant commands on National Guard matters pertaining to their combatant command missions and support planning and coordination for such activities as requested by the Chairman of the Joint Chiefs of Staff or the commanders of the combatant commands. These authorities, coupled with the Chief's channel of communication function/authority, enhance his ability to coordinate efforts and manpower among Federal entities.

NATIONAL GUARD MULTI-ROLE CAPABILITIES

4. Senator MANCHIN. General Grass, the Army has proposed divesture of the C–23 Sherpa, a non-standard airlift platform that is used by National Guard units for critical Homeland security missions, and by our special forces units in combat. This aircraft has a proven record of performing multi-role capabilities and has been particularly useful in the challenging terrain of West Virginia. In your opinion, does the National Guard need to retain this kind of short-range airlift capability?

General GRASS. The unique dual role of the National Guard requires the capability to support both overseas and domestic missions. A crucial aspect of both of these missions is intra-theater airlift. As a full partner in the Total Force and the first military option for domestic support, the National Guard must retain this short-range airlift capability.

5. Senator MANCHIN. General Grass, if confirmed, would you work to find a cost-effective solution that would allow National Guard units to retain the C–23?

General GRASS. I will work diligently to find creative solutions to ensure the National Guard has the most capable aircraft need to support all missions.

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QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

6. Senator MCCAIN. General Grass, as you are aware, under the National Guard and Reserve Equipment Account (NGREA), Congress provides procurement funding directly to all Reserve components, including the National Guard. With the NGREA, Congress intended to ensure that shortfalls in equipment provided by the Service are filled in—especially where in the past the Military Departments did not adequately modernize Reserve component equipment and to help keep them relevant in both overseas and domestic operations. This tended to be the case where two-star flag and general officer heads of their respective Reserve component did not feel that they had a seat at the budget table. In your view, now that the National Guard has three- and four-star general officers and the rest of the Reserves have a three-star flag or general officer, is it necessary for Congress to fund NGREA since Reserve component leadership now has a greater opportunity to participate in decisions on the Military Department's annual budget?

General GRASS. The National Guard and Reserve Equipment Account is vital to maintaining the readiness of the National Guard as an operational force. The Army National Guard (ARNG) utilizes this funding to ensure interoperability, modernization, and overall equipment posture in support of domestic and contingency operations. Similarly, the Air National Guard (ANG) utilizes this funding for Domestic operations capability and to modernize legacy aircraft so that these aircraft may continue to operate in worldwide airspace. While the National Guard is better represented within their services, the National Guard and Reserve Equipment Account is necessary to provide the resources needed to procure dual-use equipment vital to the unique role of the National Guard.

7. Senator MCCAIN. General Grass, since NGREA funding is provided by Congress and meant to fund all Reserve components (including the Army Reserve, Navy Reserve, Marine Corps Reserve, and Air Force Reserve), if confirmed, would you help ensure that all Reserve components gets a fair share of this congressionally-provided funding?

General GRASS. I will work the Reserve components to receive a fair share of the National Guard and Reserve Equipment account.

COMPENSATION AND RETIREMENT MODERNIZATION

8. Senator MCCAIN. General Grass, the report of the 11th Quadrennial Review of Military Compensation, recently provided to the committee, asserts that compensation for the Reserves is "misaligned with an operational force". Do you agree, or disagree, with that assertion with respect to the National Guard? Please explain your answer.

General GRASS. The current compensation system for the Reserves is based on a strategic Reserve framework. However, since 2003, the Reserves have shed much of their strategic nature and become an operational force. The Commission on the National Guard and Reserve stated that the National Guard and Reserves are now an operational reserve, which is significantly different from the strategic reserve of the Cold War. The 11th Quadrennial Review of Military Compensation, in their final report, said that a modernized Reserve component compensation system should provide incentives for Reserve component members to serve at the required levels of participation and be clearly integrated with the Active component system. Such an approach would facilitate transitions between Active and Reserve components—under the philosophy of a continuum of service—and ensure equitable pay for similar service.

9. Senator MCCAIN. General Grass, the National Defense Authorization Act for Fiscal Year 2013, recently reported by this committee, would establish a Military Compensation and Retirement Modernization Commission, charged with modernizing compensation and retirement systems for both the Active and Reserve components. What compensation principles do you think should be applied to differentiate between service in the Active component and the Reserve component, and are they the same or different from the past?

General GRASS. Unlike regular component service, National Guard members are citizen-soldiers and airmen, the majority do not serve in a full time military capacity. In most cases, National Guard duty is an adjunct to their full-time employment or academic studies.

The last decade has demonstrated the need to utilize the National Guard as an operational force. Compensation principles for an operational force should remain similar to those of a strategic reserve, it is the application of those principles that change.

10. Senator MCCAIN. General Grass, in your view, would the result of realignment of compensation for the Guard result in increasing or decreasing the cost of Guard personnel? What about Total Force costs?

General GRASS. The 11th Quadrennial Review of Military Compensation (QRMC) recommends a reduction in duty statuses to simplify compensation for the Reserve components. It recommends realignment of pay to more closely parallel Active Duty pay and allowances, using the Regular Military Compensation. For more than 40 years, regular military compensation (RMC) has been recognized as a better measure than basic pay alone for comparing military and civilian compensation because it includes incentive pay. It is likely the reforms suggested by the QRMC would result in increases in incentive pay, negating any decrease in basic pay. In addition, the QRMC recommends changes in retirement pay for National Guardsmen that could incentivize longer service, but increase accrual costs for the Government.

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QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

SEQUESTRATION

11. Senator INHOFE. General Grass, sequestration will be devastating to our national defense, the military, and our defense industrial base. Could you please explain how sequestration will affect your organization?

General GRASS. The percentage reduction for fiscal year 2013 equals the total cut for DOD as a whole ($50–$55) billion) divided by fiscal year 2013 new budget au-

thority and prior-year unobligated balances. If military personnel funding is exempt, it will be excluded from fiscal year 2013 new budget authority. That means everything else is cut more and DOD estimates an 8 percent cut with milpers included, 10 percent with milpers exempt. The best way to avoid this problem is to turn off sequestration for defense and non-defense.

12. Senator INHOFE. General Grass, we are already assuming risks with the reduction of the DOD budget, but if sequestration takes effect, how much more risk would be involved and can we adequately meet the requirements of our national defense strategy?

General GRASS. We are currently performing impact assessments of sequestration that consider some of these factors. However, we are heavily focused on turning off sequester rather than assessing its impact.

NATIONAL GUARD READINESS

13. Senator INHOFE. General Grass, what will be the impact of decreased budgets on the future readiness of the National Guard?

General GRASS. If there is less funding to man, train, and equip National Guard units, then readiness will suffer. The National Guard is at its highest ever level of readiness and combat experience. We have attained this readiness through 10 years of war with significant investments in manning, training, and especially equipping our units. The National Guard, as an integral part of the operational force, provides a highly efficient way to provide trained and ready units to the Nation when required for national defense or disaster relief. Any decrease in funding to such an efficient and closely managed force is certain to have an effect on our readiness.

Decreased budgets National Guard impact not only National Guard readiness but Total Force readiness because the National Guard supports both title 32/State missions and title 10 commitments with dual-use personnel and equipment. Responses to title 10 operations could be impacted, as well as responses to natural and man-made disasters, ability to support law enforcement, and other domestic activities.

STATE PARTNERSHIP PROGRAM

14. Senator INHOFE. General Grass, please provide a summary of your review of the State Partnership Program (SPP), actions taken to address Government Accountability Office (GAO) recommendations, and recommendations on further changes required to improve this program, to include funding and additional authorities.

General GRASS. The SPP is an innovative, low cost, small footprint program that furthers the U.S. Government, DOD, and combatant commander's security cooperation goals. The enduring relationships established over time, yields significant returns for our Nation.

The GAO SPP report highlighted several issues which DOD acknowledged and is working to correct. The report identified initiatives already underway to correct known deficiencies, including improved program management through publication of Instructions and Manuals, improved oversight and data integrity, clarity of civilian participation, and additional training for program participants.

I will continue oversight of the SPP and look into additional changes and authorities that would improve the program.

SUICIDE PREVENTION

15. Senator INHOFE. General Grass, please provide a list of programs the National Guard is using to mitigate suicides and how you assess the long-term success of these programs.

General GRASS. Suicide prevention and resiliency training is a top priority for the National Guard. I will work with the Adjutants General to identify risk factors and provide National Guardsmen and their families with the outreach needed to provide the best resiliency training. I will also determine if there are additional steps the NGB and the Department can make to mitigate these tragedies, including additional funding if required.

I am aware that the National Guard has instituted a number of suicide prevention programs, and I will examine the criteria used to assess their long-term success. These programs include, but are not limited to:

• Resilience, Risk Reduction, and Suicide Prevention Campaign Plan established an Resilience, Risk Reduction, and Suicide Prevention Council in each State and territory and the District of Columbia;
• Leaders Guide on Soldier Resilience;
• 54 State Suicide Prevention Program Managers and 78 Directors of Psychological Health, to provide behavioral health assessments and referrals for ARNG soldiers.
• Vets4Warriors peer support line;
• Master Resilience Trainers who serve as the commander's principal advisor on resilience, provide training, and are one component of the strategy to increase and enhance performance;
• ANG Suicide Integrated Process Teams (IPT) to examine and implement suicide prevention initiatives;
• Licensed mental health professional at each ANG Wing to serve as an advisor to the Wing commander on psychological health, prevention, education, crisis management, assessment, referral, and case management;
• ANG wingman site, which provides resources as well as highlights the Ask, Care, and Escort program.

MILITARY CONSTRUCTION

16. Senator INHOFE. General Grass, funding for military construction has been in a constant decline. If confirmed, would you please provide a prioritized list of National Guard military construction projects.

General GRASS. I commit to providing a prioritized list of National Guard military construction projects. Located in over 3,000 communities, National Guard facilities are uniquely positioned to allow units to support to local governments and quickly respond to disasters. As a result of this arrangement, the National Guard is also the connective tissue between the military and the Nation's citizens. It is vital that the National Guard maintain adequate facilities to support an operational force that is geographically dispersed.

ALTERNATIVE ENERGY AND WAR ON GLOBAL WARMING

17. Senator INHOFE. General Grass, I believe DOD can and should improve efficiencies in energy use and expand in the use of alternative energy sources; however, it should not come at the cost of manning, training, or equipping the force. Do you agree?

General GRASS. DOD should improve efficiencies in energy use and expand the use of alternative energy sources. Those efforts should support and improve capability and cost-effectiveness of the force, and should not come at the cost of manning, training, or equipping the force.

18. Senator INHOFE. General Grass, some alternative fuels, such as biofuels, cost five to eight times as much as conventional fuels, with no guarantee that market forces will bring these costs down. The Navy's move to biofuels alone is expected to add $1.8 billion a year in fuel costs in for the green fleet. This money will have to be taken from other accounts due to decreasing defense budgets. With the continued decline of the defense budget over the past 3 years—forcing cuts to personnel, ships, and aircraft—what will be the impact of tripling or quadrupling your fuel costs?

General GRASS. The cost of fuel is a major concern for the entire DOD. Increases in the cost of fuel impact the ability of the military to train on equipment to meet readiness requirements. Tripling or quadrupling the cost of fuel will exacerbate that issue.

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QUESTIONS SUBMITTED BY SENATOR JOHN CORNYN

NATIONAL GUARD COUNTERDRUG PROGRAM

19. Senator CORNYN. General Grass, if confirmed as Chief of the NGB, you will oversee all National Guard Counterdrug (NGCD) programs. For Border States such as Texas, these programs are of great interest. The Southwest Border consists of 1,969 miles, with 65 percent of that border in Texas. With over 90 percent of America's illegal drugs entering the United States through the Southwest Border, this region of the country is critical in the effort to stop the flow of trafficking. Yet, of the

total fiscal year 2013 funding for the NGCD program, the Southwest Border States received just 26 percent. Does that surprise you?

General GRASS. It is my understanding that 90 percent of the cocaine enters through the Southwest Border. However, I believe it is also important to consider that the majority of marijuana consumed in the United States is grown domestically, synthetic and prescription drugs are an increasing threat, and methamphetamine use continues to rise. I support the national interdiction goal as set forth in the National Drug Control Strategy; establishing a desired removal rate of 40 percent of the documented flow of cocaine destined for the United States by fiscal year 2015.

20. Senator CORNYN. General Grass, since we know with certainty where the lion's share of the drugs are physically entering the United States, it would seem that facilitating successful interdictions would naturally be a top priority under the NGCD program. Yet, under the NGB's new Threat-Based Resourcing Model (TBRM), interdiction comprises less than 25 percent of the weighted variables that are used for distributing funding to the States. I was pleased that when we met privately prior to your confirmation hearing, you gave me your commitment to take a serious look at the NGCD program, in particular how funding is distributed to the States under the TBRM process. Please share your perspective on these issues and explain how you will go about your assessment of TBRM.

General GRASS. The NGCD Program provides military unique support to law enforcement in a variety of DOD approved missions, to include Criminal Analysis, Aviation and Ground Reconnaissance, and Training. As a support program, the NGCD Program aids Federal, State, and local law enforcement agencies in the execution of their priorities. The President's inaugural National Drug Control Strategy, released in May 2010 is a marked departure from previous approaches to drug policy. In accordance with this new policy, I am committed to working with the State Adjutants General and Interagency partners to ensure proper resource allocation.

21. Senator CORNYN. General Grass, during a recent NGB briefing to Senate staff regarding the TBRM process, the briefers were queried as to why interdiction of drug traffickers on the Southwest Border seems to have been downgraded as an objective of the NGCD program. Their response was, "Look, no matter what we do, drugs will still get into America." Do you share the belief that we cannot win the interdiction fight to stop illegal drugs from entering the United States along the Southwest Border, and thus we should reallocate NGCD funding elsewhere?

General GRASS. Interdiction is an important aspect of countering illegal narcotics. I remain committed to supporting law enforcement efforts in reducing the flow of illicit drugs destined for the United States and ensuring proper resource allocation through the Counter Drug Program.

22. Senator CORNYN. General Grass, as per "The National Guard Counterdrug Program Fiscal Year 2014 Threat Based Resourcing Model" document, the "goal of the TBRM is to provide an objective distribution of counterdrug funds as closely aligned to the threat as possible". In contrast to this stated goal, the weighing of the variables in TBRM is decided via a democratic vote by representatives of all 54 States and territories. Do you think this is the optimal way to determine the allocation of funding?

General GRASS. I will review the current allocation of counterdrug resources and the weighing of the variables to ensure the proper distribution of resources.

23. Senator CORNYN. General Grass, do you agree that this injects inherent subjectivity into the process and invites individual State concerns to take precedence over national priorities?

General GRASS. I will review the process and determine if subjectivity is being injected into the outcome of resource allocation. I will also ensure individual state concerns are not taking precedence over national priorities.

24. Senator CORNYN. General Grass, I have also concluded that the weighted variables in TBRM bear very little relation to National Guard core competencies. Many of these weighted variables represent dimensions of the drug problem that the National Guard has no capacity to address anyway (e.g., prescription drug abuse), and such an approach seems ill-suited for sensibly determining where the National Guard can most effectively and efficiently bring Federal resources (NGCD funding) to bear to impact the illicit drug problem using the unique skills and tools at their disposal. Will you make a commitment to determine whether such a disconnect exists and, if it does, to overhaul the process?

General GRASS. Yes, I am committed to determining whether a disconnect exists, and if it does, overhaul the process.

25. Senator CORNYN. General Grass, in trying to help address the illegal drug threat to the United States, what core competencies does the National Guard bring to the table in support of Federal, State, and local law enforcement agencies?

General GRASS. The NGCD Program supports law enforcement through Secretary of Defense approved mission sets that include: criminal analysis; aviation; training; and reconnaissance. These mission sets support the DOD objectives to detect, interdict, disrupt, and curtail any activity reasonably related to drug trafficking.

26. Senator CORNYN. General Grass, should the commander of NORTHCOM be asked to provide input as to where NGCD funding is allocated, since the program's execution occurs almost entirely within his geographic AOR?

General GRASS. Yes. The NGCD Program supports the NORTHCOM Theater Campaign Plan and Intermediate Military Objectives.

27. Senator CORNYN. General Grass, during our private discussion regarding NGCD, you also acknowledged that the National Guard is there to support law enforcement, not to be a substitute for it. Every State has law enforcement agencies, but not every State has an international border across which massive amounts of illicit drugs are trafficked every year. In States that have these unique problems, military support of law enforcement is crucial. NGB's current policy is that every State is entitled to have a federally-funded NGCD program, with a minimum budget of $500,000, even if that budget comes at the expense of States with greater need, such as the Border States. Do you agree that not all States have the same level of need for NGCD funding?

General GRASS. Yes, I agree that not all States have the same level of need for NGCD funding.

28. Senator CORNYN. General Grass, in your view, should every State be entitled to have a federally-funded NGCD program?

General GRASS. While each State does not have the same level of need, each State and territory has a unique drug situation that includes gangs, drug trafficking, and associated violence in their communities. DOD, through the NGCD program, supports every State that meets the requirements of title 32 U.S.C. section 112.

29. Senator CORNYN. General Grass, in an age of increased budget constraints, do you agree that we should focus the NGCD funding where the threat is most severe, versus making it a priority to give every State a slice of the shrinking pie?

General GRASS. I believe each State has a unique drug threat. The goal of the Counterdrug Program is to provide resources and capabilities in accordance with the identified threat. The Threat Based Resource Model enables us to accomplish this task.

ARMY NATIONAL GUARD

30. Senator CORNYN. General Grass, Army Guard aviation plays a critical role in all 54 States and territories as the backbone of emergency response capabilities. But, this aviation force is aging. Please comment on the recapitalization that will be required over the next 5 years to keep this aviation force ready and capable of responding to the Nation's needs.

General GRASS. The ARNG provides crucial aviation capabilities in support of the total Army. The ARNG is home to nearly 50 percent of the Army's operational utility fleet. The average fleet age is over 30 years, and UH–60 modernization and recapitalization is one of the biggest challenges to Army aviation. The ARNG and the Army are working together to modernize and recapitalize this fleet subject to the current budget constraints.

31. Senator CORNYN. General Grass, the Chief of Staff of the Army has proposed cutting the National Guard by four brigades and replacing those brigade structures with advise and assist brigades. Do you think such a move would be wise?

General GRASS. I will work with the Director of the ARNG and Army leadership to determine the best force structure for the ARNG. Currently, ARNG Brigade Combat have the ability to perform the advise and assist mission and also have the capability to tailor the existing structure in order to perform a variety of other mis-

sions. These missions include, but are not limited to: combat; stability operations; and support for domestic operations.

32. Senator CORNYN. General Grass, will organizing the Guard to perform non-standard functions that will not reside in the active Army set the Guard up for future cuts?

General GRASS. The ARNG's operational forces are organized the same as those of the Active component. This ensures operational consistency in support of the geographic combatant commander and the joint warfight. Organizational consistency between the Active component and ARNG operational forces is a vitally important requirement.

Organizing the ARNG to perform non-standard functions could pose considerable risk to the ARNG for future cuts. Modernization, training, and the doctrinal development for on-standard organizations will be challenging since this will fall outside a standard, commonly understood function. These factors serve only to reinforce questions about relevancy and the efficacy for future resourcing.

33. Senator CORNYN. General Grass, the Army recently said they are looking good for the next 5 years for military construction dollars. Do you believe this accurately represents the state of the Army Guard infrastructure?

General GRASS. I will work with the Director of the ARNG to determine the future requirements for ARNG military construction. It is vital that the ARNG adequately maintain facilities that support the readiness of an operational force.

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[The nomination reference of LTG Frank J. Grass, ARNG, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*June 28, 2012.*

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

The following named officer for appointment as the Chief of the National Guard Bureau and for appointment to the grade indicated in the Reserve of the Army under title 10, U.S.C., sections 10502 and 601:

*To be General.*

LTG Frank J. Grass, ARNG, 4493.

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[The biographical sketch of LTG Frank J. Grass, ARNG, which was transmitted to the committee at the time the nomination was referred, follows:]

BIOGRAPHICAL SKETCH OF LTG FRANK J. GRASS, ARNG

LTG Frank J. Grass, ARNG, is the Deputy Commander, U.S. Northern Command, and Vice Commander, U.S. Element, North American Aerospace Defense Command at Peterson Air Force Base, CO.

As Deputy Commander, U.S. Northern Command, General Grass helps lead the command to anticipate, prepare, and respond to threats and aggression aimed at the United States, its territories and interests within the assigned area of responsibility, and as directed by the President or Secretary of Defense, provide Defense Support of Civil Authorities, including consequence management operations.

General Grass enlisted in the Missouri Army National Guard in October 1969. He attended the Missouri Army National Guard Military Academy Officer Candidate School and was commissioned in the Engineer Corps in 1981. He has served in a variety of command and staff positions as a traditional National Guard soldier, in the Active Guard and Reserve program, and on Active Duty. In his first general officer assignment, he served as Deputy Director of the Army National Guard in Arlington, VA.

General Grass previously served as Director of Operations. U.S. Northern Command. As Director of Operations, he was the principal advisor to the Commander on all operational matters, providing strategic guidance to plan and execute U.S.

Northern Command missions within the area of responsibility; including air, land, maritime, ballistic missile defense, and cyber homeland defense operations as well as Defense support of civil authorities.

*Education:*

1975 - St. Louis Community College, Associates Degree, Environmental Technology, St Louis, MO.

1985 - Metropolitan State University, Bachelor of Science, Liberal Arts, St Paul, MN.

1997 - Missouri State University, Master of Science, Resource Planning, Springfield, MO.

2000 - National War College, Master of Science, National Security Strategy, National Defense University, Fort Lesley J. McNair, Washington, DC.

2006 - National Defense University, Capstone General and Flag Officer Course, Fort Lesley J. McNair, Washington, DC.

*Assignments:*

| From | To | Assignments |
|---|---|---|
| September 1981 | October 1981 ..... | Platoon Leader, Detachment 1, 220th Engineer Company, Festus, MO. |
| October 1981 .... | February 1982 ... | Student, Engineer Officer Basic Course, Fort Belvoir, VA. |
| February 1982 .. | January 1984 ..... | Project Officer, U.S. Army Corps of Engineers, St. Paul District, St. Paul, MN. |
| January 1984 .... | November 1984 | Platoon Leader, Company D, 15th Engineer Battalion, 9th Infantry Division, Fort Lewis, WA. |
| November 1984 | May 1985 ..... | Executive Officer, Company D, 15th Engineer Battalion, 9th Infantry Division, Fort Lewis, WA. |
| May 1985 ..... | January 1986 ..... | Battalion Motor Officer, 15th Engineer Battalion, 9th Infantry Division, Fort Lewis, WA. |
| January 1986 .... | February 1986 ... | U.S. Army Reserve Control Group, Unassigned, St. Louis, MO. |
| February 1986 .. | July 1986 ..... | S4, 880th Engineer Battalion, Jefferson Barracks, MO. |
| July 1986 ..... | July 1988 ..... | Commander, 220th Engineer Company, Festus, MO. |
| July 1988 ..... | July 1988 ..... | Civil Engineer, 35th Engineer Brigade, Jefferson Barracks, MO. |
| July 1988 ..... | July 1991 ..... | Assistant Professor of Military Science, Missouri State University, Springfield, MO. |
| July 1991 ..... | June 1992 ..... | Student, Command and General Staff Officer Course, Fort Leavenworth, KS. |
| June 1992 ..... | July 1994 ..... | Engineer Exercise Project Officer, Headquarters, U.S. Army South, Fort Clayton, Panama. |
| July 1994 ..... | July 1997 ..... | Chief, Exercise Section, Exercise Branch, Army National Guard Readiness Center, Arlington, VA. |
| July 1997 ..... | July 1999 ..... | Commander, 203d Engineer Battalion, Joplin, MO. |
| July 1999 ..... | June 2000 ..... | Student, National War College, National Defense University, Fort McNair, Washington, DC. |
| June 2000 ..... | September 2003 | Chief, Operations Division, Army National Guard Readiness Center, Arlington, VA. |
| September 2003 | April 2004 ..... | G–3, Army National Guard, Army National Guard Readiness Center, Arlington, VA. |
| April 2004 ..... | May 2006 ..... | Deputy Director, Army National Guard, Army National Guard Readiness Center, Arlington, VA. |
| May 2006 ..... | September 2008 | Director. Mobilization and Reserve Component Affairs, Headquarters U.S. European Command, Stuttgart, Germany. |
| September 2008 | September 2010 | Director of Operations, U.S. Northern Command, Peterson Air Force Base, CO. |
| September 2010 | Present ..... | Deputy Commander, U.S. Northern Command, Peterson Air Force Base, CO. |

*Awards and decorations:*

Defense Superior Service Medal (with one Bronze Oak Leaf Cluster)
Legion of Merit
Meritorious Service Medal (with three Bronze Oak Leaf Clusters)
Army Commendation Medal (with three Bronze Oak Leaf Clusters)
Army Achievement Medal (with two Bronze Oak Leaf Clusters)
Army Reserve Component Achievement Medal (with Silver Oak Leaf Cluster)
National Defense Service Medal (with one Bronze Service Star)
Global War on Terrorism Service Medal
Armed Forces Service Medal
Humanitarian Service Medal
Armed Forces Reserve Medal (with Gold Hourglass Device)
Noncommissioned Officer Professional Development Ribbon
Army Service Ribbon
Overseas Service Ribbon (with Numeral 2)
Army Reserve Component Overseas Training Ribbon (with Numeral 2)
Joint Meritorious Unit Award (with two Bronze Oak Leaf Clusters)
Army Superior Unit Award

Parachutist Badge
Army Staff Identification Badge

*Professional memberships and affiliations:*
National Guard Association of the United States (Life Member)
National Guard Association of Missouri (Life Member)
Society of American Military Engineers (Life Member)
Association of the U.S. Army (Life Member)
National War College Alumni Association (Life Member)
Missouri State University Alumni
Metropolitan State University Alumni

*Other achievements:*
The Bronze Order of the de Fleury Medal, The Army Engineer Association
Missouri Conspicuous Service Medal, Missouri National Guard
Honorable Order of St Barbara, U.S. Field Artillery Association
Distinguished Service Medal, National Guard Association of the United States
Washington Army National Guard Legion of Merit, State of Washington

*Effective dates of promotions:*
Second Lieutenant, ARNG, 12 September 1981
First Lieutenant, USA, 19 April 1983
Captain, USA, 01 July 1985
Major, ARNG, 04 August 1990
Lieutenant Colonel, ARNG, 07 February 1995
Colonel, ARNG, 31 May 2000
Brigadier General (LINE), ARNG, 02 April 2004
Major General (LINE), ARNG, 22 June 2006
Lieutenant General (LINE), ARNG, 30 September 2010

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee. The form executed by LTG Frank J. Grass, ARNG, 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.)
Frank J. Grass.

2. **Position to which nominated:**
Chief, National Guard Bureau.

3. **Date of nomination:**
June 28, 2012.

4. **Address:** (List current place of residence and office addresses.)
[Nominee responded and the information is contained in the committee's executive files.]

5. **Date and place of birth:**
May 19, 1951; St. Louis, MO.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Patricia Ellen Grass (Maiden name: Cullen).

7. **Names and ages of children:**
Amanda Sue Scott (Grass); age 34.
Frank Joseph Grass, Jr.; age 32.
Laura Ellen Fisher (Grass); age 31.
Patrick Michael Grass; age 27.
Mark Cullen Grass; age 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.
I am a beneficiary to the "Arthur Grass Family Trust DTD 7–7–92". This is the Family Trust established by my deceased father.

10. **Memberships:** List all memberships and offices currently held in professional, fraternal, scholarly, civic, business, charitable, and other organizations.
National Guard Association of the United States (Life Member).
National Guard Association of Missouri (Life Member).
Society of American Military Engineers (Life Member).
Association of the U.S. Army (Life Member).
National War College Alumni Association.
Missouri State University Alumni.
Metropolitan State University Alumni Association.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extact 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 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.

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[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.]

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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.

FRANK J. GRASS.

This 22nd day of April, 2012.

[The nomination of LTG Frank J. Grass, ARNG, was reported to the Senate by Chairman Levin on July 25, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on July 26, 2012.]

# NOMINATION OF GEN. JOSEPH F. DUNFORD, JR., USMC, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, INTERNATIONAL SECURITY ASSISTANCE FORCE/COMMANDER, U.S. FORCES–AFGHANISTAN

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**THURSDAY, NOVEMBER 15, 2012**

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

The committee met, pursuant to notice, at 9:50 a.m. in room SD–G50, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Lieberman, Reed, Webb, McCaskill, Udall, Hagan, Begich, Manchin, Shaheen, Blumenthal, McCain, Inhofe, Sessions, Wicker, Portman, Ayotte, Collins, and Graham.

Committee staff member present: Richard D. DeBobes, staff director.

Majority staff members present: Gerald J. Leeling, counsel; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; and William K. Sutey, professional staff member.

Minority staff members present: Adam J. Barker, professional staff member; Christian D. Brose, professional staff member; Pablo E. Carrillo, minority general counsel; Lauren M. Davis, minority staff assistant; Paul C. Hutton IV, professional staff member; Daniel A. Lerner, professional staff member; Elizabeth C. Lopez, research assistant; and Diana G. Tabler, professional staff member.

Staff assistants present: Jennifer R. Knowles, Brian F. Sebold, and Lauren M. Gillis.

Committee members' assistants present: Brian Burton and Vance Serchuk, assistants to Senator Lieberman; Carolyn Chuhta, assistant to Senator Reed; Gordon Peterson, assistant to Senator Webb; Jason Rauch, assistant to Senator McCaskill; Casey Howard, assistant to Senator Udall; Christopher Cannon, assistant to Senator Hagan; Brittany Keates, assistant to Senator Begich; Mara Boggs, assistant to Senator Manchin; Patrick Day, assistant to Senator Shaheen; Anthony Lazarski, assistant to Senator Inhofe; Lenwood Landrum, assistant to Senator Sessions; Todd Harmer, assistant to Senator Chambliss; Joseph Lai, assistant to Senator Wicker; Brent Bombach, assistant to Senator Portman; Brad Bowman, assistant to Senator Ayotte; Nick Rossi, assistant to Senator Collins; Sergio

Sarkany, assistant to Senator Graham; and Charles Brittingham, assistant to Senator Vitter.

**OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good morning, everybody.

The committee meets this morning to consider the nomination of General Joseph Dunford, Jr., U.S. Marine Corps to be the next Commander, U.S. Forces-Afghanistan (USFOR–A) and Commander of the International Security Assistance Force (ISAF).

This morning's hearing was originally scheduled to also include consideration of the nomination of General John Allen, USMC, to be Commander of the U.S. European Command and Supreme Allied Commander. General Allen, of course, currently holds the positions for which General Dunford is nominated. However, earlier this week, the Department of Defense (DOD) requested that General Allen's nomination be put on hold pending a DOD Inspector General review. We have agreed and hope that the review can be completed promptly.

General Dunford brings to this nomination a distinguished military career with over 35 years of military service. He is currently the Assistant Commandant of the Marine Corps and has commanded combat forces in Iraq. General, we thank you for your many years of service and for your willingness to once again answer the call to serve this Nation.

Let me also extend our thanks to your family whose support is so essential. As is the tradition of this committee, I would invite you to introduce your wife Ellyn and any family members or friends who may be here with you this morning when you make your opening remarks.

Today's hearing comes at an important time and follows a string of negative reports in the media over the last few months that have raised questions about various aspects of the campaign and the performance of the Afghan Security Forces. We hope that this morning General Dunford can provide the broader picture of our goals in Afghanistan, the progress in building the Afghan Security Forces, what the prospects are for the next 2 years in terms of transition to Afghan control, and what steps the U.S. coalition and Afghan leaders are taking to address and mitigate the insider threat.

The recent increase in insider attacks by Afghan National Security Forces (ANSF) personnel or impersonators against U.S. and coalition forces threatens the essential trust between ISAF forces and our Afghan partners. At the same time, according to ISAF data, the number of enemy-initiated attacks over the last 3 months is down 5 percent compared to the same 3-month period a year ago.

If confirmed, General Dunford would assume command as the security transition in Afghanistan enters a critical phase. Getting Afghan Security Forces in the lead for security continues to be the key to the success of the Afghanistan mission. Afghan Security Forces are moving into the security lead in designated areas around the country as coalition forces step back more and more into a supporting role. The areas under Afghan security lead now cover approximately 75 percent of the Afghan population. Afghan Security Forces will have primary responsibility for security

throughout Afghanistan once the transition process is completed next summer. ISAF forces will continue to provide support, including combat support if necessary, until the end of 2014. Afghan Security Forces have, in general, shown that they are willing to fight, and the Afghan people want to have their own forces rather than coalition forces keeping their communities secure.

A key element of this transition which General Dunford will be overseeing is the shift in the ISAF mission from having coalition combat forces partnering and operating with similar units of the Afghan forces to a security force assistance mission. In that mission, mid-grade officers and senior noncommissioned officers form security force assistance teams (SFATs), which are embedded in small units as advisors within Afghan forces to help build their capabilities, even as Afghan forces continue their move into the lead for combat operations.

General Dunford will be responsible, if confirmed, for implementing the President's decision on the drawdown of U.S. forces in Afghanistan during the next 2 years to post-2014 levels. An important milestone was achieved at the end of September with the drawdown of U.S. forces to the 68,000 level and the completion of the withdrawal of the 33,000 U.S. surge force. Secretary Panetta said earlier this week that General Allen and the White House are in the process of discussing options for the U.S. enduring presence in Afghanistan after 2014, a process that Secretary Panetta hopes will be completed "within the next few weeks". Secretary Panetta stressed that the U.S. enduring presence in Afghanistan would be based on the missions that U.S. forces would be carrying out, missions like counterterrorism, advising and assisting the Afghan forces, and providing those forces important enabling capabilities.

General, we would like to hear from you this morning about the pace of the drawdown of U.S. forces from the current 68,000 troop level to the level of our enduring presence after 2014. Do you expect the drawdown to occur at a steady pace, as the President has said, or do you anticipate the pace of the drawdown remaining at 68,000 through next year's fighting season and then dropping rapidly sometime thereafter?

Finally, the United States and Afghanistan have begun negotiations on a status of forces agreement (SOFA), as required by the bilateral enduring Strategic Partnership Agreement that Presidents Obama and Karzai signed in May. The SOFA will provide the necessary protections for U.S. troops deployed to Afghanistan after 2014, and we would be interested in your thoughts, General, on the importance of the SOFA for signaling to the Taliban and Afghanistan's neighbors that the U.S.-Afghanistan partnership will be an enduring contribution to regional stability. We would also hope you would address what you see as the U.S. red lines in those SOFA negotiations.

We look forward to your testimony this morning.

I now call upon Senator McCain.

## STATEMENT OF SENATOR JOHN MCCAIN

Senator MCCAIN. Thank you, Mr. Chairman, and let me thank our distinguished witness for joining us this morning and for his many years of impressive service in uniform.

Let me start by saying a word about General John Allen, USMC, our Commander in Afghanistan, who we had expected to testify today on his nomination to be Commander of U.S. European Command and Supreme Allied Commander. While the committee awaits the conclusion of the Defense Department's Inspector General investigation, I continue to believe that General Allen is one of our best military leaders and I continue to have confidence in his ability to lead the war in Afghanistan as well as to serve in the post for which he has now been nominated.

General Dunford, I am grateful for your willingness to accept this nomination to serve as Commander of U.S. Forces and the International Security Assistance Force in Afghanistan, but I also believe that if you are confirmed, you will have a difficult road ahead of you. I think our mission in Afghanistan is at a very serious and troubling crossroads, and much of the recent reporting is deeply worrisome.

Unfortunately, over the past few months, our enemies have been rather successful in carrying out so-called insider attacks that have killed and wounded many American and Afghan troops. As I am sure you would agree, General Dunford, it is hard to overstate the damage these kinds of attacks do to the morale of our troops and to our broader mission of supporting the growth and professionalization of Afghan forces. It is hard for our troops to work effectively with their Afghan partners when they have reason to mistrust some among them. While I support the decision to suspend many of these partnering efforts, it is harmful nonetheless.

We are also seeing more and more reports of declining security in Afghanistan, including in a province like Bamiyan, which was once one of the safest places in the country. Al Qaeda is working harder than ever to reestablish safe havens in eastern Afghanistan, and there is some evidence that they are succeeding. In what was perhaps the most brazen and least reported attack this year, a small unit of Taliban operatives fought their way into Camp Bastion in Helmand Province in September and managed to destroy six Harrier aircraft at a total loss of nearly $200 million. Talk about asymmetrical warfare. Two marines were killed in that attack, including Sergeant Bradley Atwell and Lieutenant Colonel Christopher Raible, a Marine aviator, who lost his life after running toward the fight and bravely fighting heavily armed insurgents with only his pilot's side arm.

Not surprisingly, this growing insecurity is heightening ethnic and other factional tensions in Afghanistan which could portend a renewal of civil conflict. Earlier this week, the New York Times reported that Ismail Khan, a powerful Tajik warlord who was responsible for some of the worst violence of Afghanistan's civil war, is calling on his supporters to rearm and prepare for a resumption of conflict against the Taliban. These comments were echoed by Marshal Mohammed Fahim, another powerful former warlord and a Tajik, who stated, "If the Afghan Security Forces are not able to wage this war, then call upon the Mujaheddin."

All of these problems in Afghanistan are compounded by the two major strategic challenges we face: the continued corruption and ineffectiveness on the part of the Afghan Government and the safe

haven for Taliban leadership and other insurgent groups that exist in Pakistan and which continues to go unaddressed or worse.

None of these developments should be surprising. They can all be traced back to the fundamental doubt about American resolve in this conflict, a doubt that is shared among our friends and enemies alike in Afghanistan and the region. The President's repeated emphasis on withdrawal, without laying out what would constitute a successful and sustainable transition, has only fed the belief in Afghanistan that the United States is committed to getting out regardless of conditions on the ground. This doubt has encouraged all actors in Afghanistan and in the region to hedge their bets, which increases the worst instincts of the Afghan Government and increases the chance of a return to civil conflict in our absence.

Our mission is now at a crossroads and we can go down one of two paths. The first is the one that I fear the President will embark on, implementing aggressive cuts to our forces in Afghanistan before 2014 and then leaving a presence of supporting forces that is not equal to the tasks they need to perform if a new security agreement is concluded at all. This path would constitute a rush to failure, place unnecessary risks on our forces, and I could not support it in any respect.

There is, however, another path. We could delay the further withdrawal of U.S. forces until 2014 so as to give our commanders maximum flexibility and combat power to achieve our goals. Furthermore, we could conclude a robust security agreement with the Afghan Government that would maintain sufficient numbers of U.S. forces to perform the tasks that will continue to be essential beyond 2014: counterterrorism, intelligence, and training of Afghan forces. Both of these steps could form the military basis of a political strategy to foster better Afghan governance, better cooperation from countries in the region, and ultimately a negotiated end to the war on terms that are favorable to our Afghan allies and us.

General Dunford, if confirmed, yours will be a key voice in shaping these decisions. I hope that you will advocate for actions that can limit the risk to our mission and increase our chances of success. I also hope that you will speak truth to power and resist the kind of precipitous withdrawal of support for Afghanistan that would be a sure recipe for failure. All of us look forward to hearing how you would intend to execute the major responsibilities that will be entrusted to you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator McCain.

General, let us now turn to you.

## STATEMENT OF GEN. JOSEPH F. DUNFORD, JR., USMC, FOR REAPPOINTMENT TO THE GRADE OF GENERAL AND TO BE COMMANDER, INTERNATIONAL SECURITY ASSISTANCE FORCE/COMMANDER, U.S. FORCES-AFGHANISTAN

General DUNFORD. Chairman Levin, Senator McCain, distinguished members of the committee, thank you for the opportunity to appear before you today.

I am truly honored that the President has nominated me to command the International Security Assistance Force and U.S. Forces in Afghanistan.

Joining me today is my wife, Ellyn. I am very fortunate to have her love and support. She is a great mother to our three children, now young adults, and also serves as a tireless advocate for our military families. She is unquestionably the most valuable player in the Dunford family.

I would like to begin by thanking this committee for their support to our soldiers, sailors, airmen, and marines over the past 11 years of conflict. Due to your leadership, our young men and women in harm's way have been well-trained, well-equipped, and well-supported. Their performance and the strength of our military families reflect that support.

As we all know, on September 11, 2001, members of al Qaeda murdered almost 3,000 innocent people. We also know the attacks were planned in their base of operations in Afghanistan with the support of the Taliban. For more than a decade, Americans in uniform and their civilian counterparts have responded with extraordinary courage, commitment, and self-sacrifice to deny safe haven to al Qaeda in Afghanistan and to prevent the Taliban from overthrowing the Afghan Government. Throughout that time, we have been shoulder to shoulder with our coalition and Afghan partners.

As a result of our shared sacrifice and commitment, our goals are within reach. In the months ahead, in accordance with our national objectives and Lisbon commitments, we will complete the transition to Afghan security lead and set the conditions for an enduring partnership with the Afghan people.

I recognize that much work remains to be done and the challenges will be many, but with continued focus and commitment, I believe our goals are achievable. If confirmed, I look forward to working closely with our partners to overcome the challenges, to meet our objectives, and to make certain our shared sacrifices matter.

If confirmed, I also look forward to the opportunity to lead our young men and women in Afghanistan and I will do all I can to ensure they have the wherewithal to accomplish the mission and return home to their families.

With that, I thank the committee again for allowing me to appear before you today. I am prepared to answer your questions.

Chairman LEVIN. Thank you very much, General.

We have a standard set of questions that we ask of our nominees, let me now ask them of you.

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

General DUNFORD. I have, Mr. Chairman.

Chairman LEVIN. Do you agree, when asked, to give your personal views, even if those views differ from the administration in power?

General DUNFORD. I do, Mr. Chairman.

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

General DUNFORD. I have not, Mr. Chairman.

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

General DUNFORD. I will, Mr. Chairman.

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

General DUNFORD. I will, Mr. Chairman .

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

General DUNFORD. They will, Mr. Chairman.

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

General DUNFORD. I do, Mr. Chairman.

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

General DUNFORD. I do, Mr. Chairman.

Chairman LEVIN. Thank you.

Let us start with a 7-minute first round of questions.

One of the keys to success in Afghanistan is building the size and capacity of the Afghan Security Forces. The plan calls for those forces to reach 352,000—or they call for it to reach 352,000 by October of this year, although it has been reported recently that the schedule for the building of those forces slipped by a few months. Do you know where that is?

General DUNFORD. Mr. Chairman, I do. All of the individuals to meet the 352,000 goal have been recruited. Not all the individuals have been trained, and my expectation, based on my recent visit, is that training will be completed in early 2013 with the exception of the Afghan Air Force which is working through human capital issues and longer training timelines.

Chairman LEVIN. Senator Graham and I, and I think others on this committee, have urged a retention of a large Afghan army and security forces and that it not be reduced to the 230,000 model which has been apparently adopted for starting in, I believe, 2015, which was adopted at the North Atlantic Treaty Organization (NATO) Chicago summit. We really feel that this is a very good investment of dollars, and it is a heck of a lot better than having a larger number of American troops there. Even though there is, obviously, a greater cost to us and our allies for helping to maintain a force at the larger level of 352,000, instead of after a few years reducing that number to 230,000, nonetheless we are very concerned about that model. We believe that it is based on presumptions about what the security conditions will be years from now and based on the affordability of Afghan forces rather than our commanders' best military judgments.

Would you assure us that in making any recommendations on the future size of the Afghan Security Forces that you will provide your best military judgment independent of the affordability considerations?

General DUNFORD. Mr. Chairman, I would. I am aware that the current size and the timeline for the drawdown of the Afghan Security Forces was based on some analysis done by the Center for Army Analysis a couple years ago. If I am confirmed, one of the first things I will do is revisit the assumptions associated with that

plan and ensure that we maintain the capabilities and capacities of the Afghans such that they can meet their security requirements post-2014.

Chairman LEVIN. Thank you.

What is your assessment of the performance of the Afghan Security Forces, particularly in those areas where they have moved into the lead for providing security?

General DUNFORD. Mr. Chairman, I actually came back from my recent visit encouraged by the capability of the Afghan Security Forces. I can remember clearly my first visit to Afghanistan in 2008 when at the time we had 10 coalition members for every member of the Afghan Security Forces and there had been very little training and very poor equipment.

On my recent visit, I was encouraged. We have actually had corps level operations in Regional Command South planned and executed by the Afghans alone. From my perspective today, the Afghans have the capability with the support we are providing to provide security. Of the Afghan population, 76 percent is currently secured as a result of tranches 1, 2, and 3 of the security transition. They are secured by ANSFs. I believe, based on a trajectory of development of the Afghans since we have started this effort through 2014 and with the assumption I make post-2014 with the level of commitment we will continue to provide, I believe the ANSF will be able to meet the security requirements in Afghanistan.

Chairman LEVIN. Our President has indicated that he expects that the drawdown is going to occur at a steady pace. Is that your understanding of what his statement was, and what is your own belief as to that issue?

General DUNFORD. Mr. Chairman, I think, if I am confirmed, what I need to do is make an assessment of the capabilities and capacities that we will maintain over the next 2 years such that they meet our objectives. First, we need to have necessary security to meet milestone 2013 this coming summer where we transition to full security lead by the Afghans. Second, we need to ensure that we have set the proper conditions for successful elections in 2014, and finally, we need to make sure that we have the proper forces to smoothly transition in December 2014.

As I make a recommendation, I will look at the strength of the enemy. I will look at the capabilities and capacities of the ANSFs, judge the capabilities and capacities of coalition forces, and then make a recommendation on what our force contribution ought to be between now and 2014 and then beyond as we go into the decade of transformation.

Chairman LEVIN. The Afghan people apparently continue to have a very high level of confidence in the Afghan National Army (ANA) with 93 percent, according to the polls, saying that they have a fair amount or a great deal of confidence in the army, and indeed the confidence has even grown in the Afghan National Police (ANP) with 82 percent of the Afghan people, according to those polls, expressing some level of confidence in them.

Do you believe that those numbers, percentages, and polls are accurate when it finds that a significant majority of the Afghan people have high confidence or a reasonable level of confidence in the ANA and in the ANP?

General DUNFORD. Mr. Chairman, I do not have a sense for the methodology that was used to develop those statistics, and if I am confirmed, that would be an area that I would look deeply into.

Chairman LEVIN. All right.

Earlier this week, it was reported that the Afghans' Energy and Water Minister, Mr. Khan, and a well-known warlord from Herat, called for militias in Afghanistan to rearm and to take up the defense of the country. Now, this would seem to indicate a lack of confidence in the ANSFs. Suggesting that he would rebuild militia forces, Mr. Khan has raised tensions among Afghan leadership and fears that other warlords may rearm, threatening to weaken support for the government and increasing the risk of civil war.

I am wondering if you can give us your assessment of Mr. Khan's statements and the challenges that rearmed militias would pose to political stability and to plans for the transition of full security responsibility to the ANSF.

General DUNFORD. Mr. Chairman, those militias would absolutely have an adverse effect on stability. I think what is necessary now—you alluded to a lack of confidence. Senator McCain in his opening remarks also alluded to that. I think what is necessary right now is that we have a clear and compelling narrative of commitment from our country, from our partner nations in their capitals, and from the Afghan Government. That clear and compelling narrative needs to be consistent, and that is something I think we need to work on here over the next couple months to address those issues like the one you referred to with militias.

Chairman LEVIN. Thank you very much, General.

Senator McCain

Senator MCCAIN. Mr. Chairman, I would ask the committee's indulgence for Senator Inhofe to make a brief comment. He has responsibilities at the Environment and Public Works Committee. I believe he is going to propose a reduction of greenhouse gas emissions. [Laughter.]

Senator INHOFE. Thank you, Senator McCain. I do have to get up to that committee. I do appreciate it.

Let me just ask two short questions, if I might. I want to get on record and agreeing with the comments that Senator McCain made about General Allen.

Second, in response to a written question, General, it said, "Do you agree that following the recovery of 33,000 U.S. surge forces in Afghanistan, further reductions in the U.S. force level should continue at a steady pace through 2014?" Your response was, "I agree that there will be further troop reductions through 2014, but the pace of the withdrawal over the next 25 months will depend on several factors. One of these is the readiness."

We had a hearing on May 10, and you testified at that hearing. I have always considered you to be one of the real top individuals understanding and evaluating training. You and I have talked about this before, the experiences that we have had in watching the training that is taking place with the ANSFs, specifically in the Kabul military training center, which I have been to several times. I think most of the people on the panel have.

Would you give us an evaluation of the level of training? Because that is what is going to depend on a lot of the rate of withdrawal in my opinion, or it should anyway.

General DUNFORD. Senator, I did have limited opportunity on my recent trip once again to see the training that was ongoing in Afghanistan. I am, as you are, encouraged by what NATO Training Mission-Afghanistan (NTM–A) is doing to enhance the training of the Afghan Security Forces. From my perspective, the true test of our training is the performance of the Afghans. As I mentioned a minute ago, I really believe over the last 18 months, their performance has been significantly improved as a result of the training being provided by NTM–A.

Senator INHOFE. I appreciate that.

The second two things I would like to ask you for the record. One would be, it has been a year now since 2011 when the international forces in Afghanistan seized a shipment of 48 122-millimeter rockets from Iran. I think they are still denying that those were Iranian rockets that were sent. I would like to know for the record the current level of Iranian activity in Afghanistan, and perhaps somebody else will be asking this during the course of this meeting.

Finally, the questions I asked in my office on the green-on-blue attacks, if you could respond for the record on some of our conversations concerning that and your concern about that for the future. Would you do that for us?

General DUNFORD. I will do that, Senator.

[The information referred to follows:]

In coordination with Senator Inhofe, a Top Secret classified brief will be provided on December 18, 2012, at 9:30 a.m. in SVC–217.

Senator INHOFE. All right. Thank you.

Thank you, Mr. Chairman.

Senator LIEBERMAN [presiding.] Senator Levin, the chairman, had to leave for a moment. He asked me to go ahead with my questioning.

General Dunford, thanks for your extraordinary record of service and thanks for your willingness to take on this critical leadership position at this really important time.

This hearing happens to take place on the same day that U.S. and Afghan officials are meeting for the first time to begin negotiations for a bilateral security agreement under which we would agree to keep some number of forces and presence associated in Afghanistan after 2014. We spoke about this when you were good enough to visit my office this week, and I would like to give you an opportunity to speak about it here.

It may seem that the immediate decisions about drawdown and support of ANSFs are more important. They are very important, but I think there is maybe value to jumping ahead and then coming back because I do think what we begin to do with this bilateral security agreement, whether we will have a presence in Afghanistan after 2014 and what it will be will affect what happens before then.

Let me ask you how important is it in your view for the United States to conclude an agreement with the Afghan Government to keep some military presence, troops, et cetera in Afghanistan after 2014 and why?

General DUNFORD. Senator, thank you.

I think first and foremost a bilateral security agreement will be a clear message of commitment for our long-term strategic partnership. We signed a strategic partnership this past May. A bilateral security agreement will provide the technical details associated with implementing that strategic partnership agreement.

What has been raised on a couple of occasions this morning is the lack of understanding of that commitment, in some cases the lack of confidence that we are committed to the long term. I believe that the bilateral security agreement will create momentum on the strategic side for that narrative I alluded to a minute ago. I think it will be a clear message of U.S. presence, but I also would expect that our coalition partners, once the bilateral security agreement is signed by the United States, will also look to affect the bilateral security agreement with the Afghans as well.

Senator LIEBERMAN. Let me ask this question. Do you think that signing a bilateral security agreement with the Afghan Government—incidentally, what is your sense of an ideal timeframe during which we would reach an agreement on this bilateral security?

General DUNFORD. Senator, the requirement set forth in the Strategic Partnership Agreement is not more than 1 year. That agreement was signed back in May. I believe we need to have the bilateral security agreement signed not later than May 2013.

[The information referred to follows:]

Please accept this insert to clarify the statement I made during the hearing.

The requirement set forth in the Strategic Partnership Agreement is a goal of concluding negotiations not more than 1 year from their start, which is today. That agreement was signed back in May. I believe the goal is to have the bilateral security agreement signed not later than November 2013.

Senator LIEBERMAN. Let us talk about, first, some of the effects of signing that agreement in that timeframe. Do you think it would have any effect on our forces and ISAF forces between now and the end of 2014 if we signed a bilateral security agreement for post-2014?

General DUNFORD. Senator, I believe there would be an effect on our forces indirectly again insofar as it supports that narrative of commitment, which I believe will assist operations being conducted on a day-to-day basis.

Senator LIEBERMAN. Is that a question of the morale of our forces or is it more than that?

General DUNFORD. No, Senator. I think it is a question of confidence in the Afghan people that we will remain, the confidence in the ANSFs that we will remain, confidence in the capitals of the coalition that we will remain, and frankly confidence in regional actors as well that we will remain. That is what I believe is the most important effect of the bilateral security agreement is that clear and compelling narrative that not only are we there now, but we intend to see this through till transition in 2014 and we also intend to, in accordance with our agreements in Chicago and Tokyo, see through the decade of transformation that needs to follow in 2014.

Senator LIEBERMAN. That is a really important answer. Let me just draw you out a little bit because I particularly appreciate what you said about the effect that our reaching a bilateral security

agreement with the Afghans by May would have on other capitals in the region. I presume that would begin with Islamabad?

General DUNFORD. Senator, I believe it would have an effect on Islamabad. I think Pakistan hedges its bets based on what they believe our long-term commitment to the region would be, and their calculus will be changed as a result of their knowing that we are not only going to be there through December 2014, but we will be there beyond 2014 to secure our national objectives.

Senator LIEBERMAN. Right.

What other capitals did you have in mind?

General DUNFORD. The other capitals I had in mind, Senator, first and foremost were the 49 capitals of the coalition.

Senator LIEBERMAN. Right.

General DUNFORD. I also think that the other capitals that have interest are Iran, the Stans, Russia, China, all the countries that have interest in Afghanistan. Their calculus would be affected by our signing a bilateral security agreement, again more importantly signing that agreement reflects the commitment that was initially made in May 2012.

Senator LIEBERMAN. I think it is a very important answer. I have the same feeling. I think Islamabad is the first capital that will be affected by the bilateral security agreement, the whole argument that you referred to, that part of the reason they continue to tie some elements of the Pakistani Government to terrorist groups like Haqqani network and Inter-Services Intelligence is that they are hedging their bets for what happens the day after we leave. If we are not leaving, presumably they lose that argument.

While every situation is different, but I cannot help but relate this to Iraq. Nobody wanted our discussions with the Iraqi Government for a presence in Iraq after our troops left to fail more than Iran did, and in fact, they were working on that. The fact that it did fail and we have no continuing presence in Iraq I think is part of the reason why Iran's influence has spread there and so, incidentally, has al Qaeda re-emerged again. I think those are warnings to us about how important it is to do exactly what you've called for, which is to have a much smaller but a real American presence.

Let me just ask you to talk a bit about—I would assume you do not want to talk numbers of American troops in Afghanistan after 2014. Besides the psychological effect or the message effect that we have talked about, what are some of the kinds of actual missions that a follow-on U.S. presence would have in Afghanistan after 2014?

General DUNFORD. Senator, I would foresee our two main missions being counterterrorism operations and then advise and assist to the ANSFs. I believe that advise and assist role is an enduring role and would extend past December 2014.

Senator LIEBERMAN. Thanks, General.

A final question, do you think the Afghan Government is favorably inclined toward a bilateral security agreement with us at this time?

General DUNFORD. Senator, my understanding from initial conversations with Ambassador James Warlick and with General Allen and the leadership in Kabul is that the Afghan Government is favorably disposed to a bilateral security agreement. Clearly the

details are what are being worked out right now. But both governments have come to the table with terms of reference. Both governments appear to be serious about signing a bilateral security agreement, and I am cautiously optimistic that we will be able to do that in accordance with the timeline.

Senator LIEBERMAN. I thank you very much, and I wish you well. Thank you.

General DUNFORD. Thank you, Senator.

Chairman LEVIN [presiding.] Thank you very much, Senator Lieberman.

Senator McCain.

Senator MCCAIN. General, again, we appreciate your willingness to serve.

I must say, is it not true that you receive daily briefings and visits to Afghanistan keeping up with the situation there?

General DUNFORD. Senator, I have made a recent visit to Afghanistan——

Senator MCCAIN. But you get daily briefings, I hope.

General DUNFORD. I do, Senator.

Senator MCCAIN. You have reached some tentative conclusions?

General DUNFORD. I have, Senator.

Senator MCCAIN. Almost every answer you have given is, we are going to do studies and assessments. I hope that you at least have some initial thoughts and impressions as to how we should proceed.

My first question is, do you know what recommendations the command in Afghanistan has made to Washington about the tasks that U.S. forces may be needed to perform beyond 2014? I am specifically talking about force levels, whether they are maintaining at 68,000, whether they should be gradually drawn down, whether they should stay there until 2014. Do you know what those recommendations are?

General DUNFORD. Senator, I have not been included in those conversations.

Senator MCCAIN. That is interesting to me, a guy that is going to take over the command has not even been included in those conversations. Do you feel prepared to assume these responsibilities?

General DUNFORD. Senator, I am prepared to assume these responsibilities.

Senator MCCAIN. You have no impressions or ideas on the troop drawdown issue between now and 2014?

General DUNFORD. Senator, I think I have an understanding of the framework within which that decision ought to be made. I have certainly identified what I think are the most important variables that need to be considered but, again, I have not been involved in the detailed planning. I would assume——

Senator MCCAIN. So you are a blank slate.

Do you believe that any strategy in Afghanistan can be successful while militants continue to enjoy safe haven in Pakistan?

General DUNFORD. Senator, I think over time a safe haven in Pakistan needs to be addressed.

Senator MCCAIN. Do you believe that we can succeed with the level of corruption that exists throughout Afghanistan?

General DUNFORD. Senator, I believe corruption is the most significant strategic challenge to meeting our objectives in Afghanistan.

Senator MCCAIN. Do you have any thoughts about how we would go at this issue of corruption?

General DUNFORD. Senator, I do. I have reviewed the framework within which corruption is being addressed both at the U.S. Central Command, by the U.S. Embassy in Kabul, and ISAF.

Senator MCCAIN. Do you think that it is succeeding?

General DUNFORD. Senator, I think there has been progress made over the last 18 months and in particular since the Tokyo meeting.

Senator MCCAIN. Do you believe that there has been any progress in the safe haven issue in Pakistan?

General DUNFORD. Senator, it is not apparent to me that there has been any progress with the safe haven issue in Pakistan.

Senator MCCAIN. If confirmed, will you provide this committee with the recommendations that you would ultimately make through your chain of command with regard to the size and pace of the drawdown of U.S. forces from Afghanistan?

General DUNFORD. I would, Senator.

Senator MCCAIN. The reason why I keep raising this issue with you and why I feel so strongly about it is that every time I have been there and had candid conversations with our commanders at literally all levels, they believe that we need to keep the 68,000 there until the 2014 date, and if we start a "steady pace withdrawal" that we will not be able to accomplish a lot of those missions there. If we cannot accomplish the mission, I am not sure why we should stay, and that is something that I think a lot of us have to wrestle with because if we are going to start drawing down right away from the 68,000, which I know that our military leaders believe is absolutely necessary, then I think we need to look at other options.

This attack that destroyed six Harrier aircraft—does that concern you? I am sure it must. But is that not an example of the brazenness and capabilities that the Taliban have?

General DUNFORD. Senator, I think it does reflect the capabilities the Taliban has.

Senator MCCAIN. You are confident that the Afghan forces will be able to stand on their own after 2014 without significant assistance from the United States?

General DUNFORD. Senator, I believe that the ANSF are going to require some level of assistance from the United States, as well as coalition partners, in order to be successful post-2014.

Senator MCCAIN. Do you think we are winning the war in Afghanistan?

General DUNFORD. Senator, I think we are making progress, and as I mentioned in my opening remarks, I believe our objectives are achievable.

Senator MCCAIN. Do you have any conclusions that you drew from your recent trip on the security situation in Afghanistan, particularly in southern and eastern Afghanistan?

General DUNFORD. I do, Senator. Broadly speaking, one of the statistics I found compelling is that 80 percent of the violence hap-

pens where 20 percent of the population is. Another statistic I found compelling is that 76 percent of the population is currently secured by ANSF. The vast preponderance of violence is now taking place outside of populated areas. The Taliban have been displaced from the population, and I view that as a sign of success.

Senator MCCAIN. Do you believe that al Qaeda is growing stronger in Afghanistan?

General DUNFORD. Senator, I do not believe that al Qaeda is growing stronger, but there is evidence of an al Qaeda presence.

Senator MCCAIN. Does this recent warlord rearming, Ismail Khan—is that of concern?

General DUNFORD. Senator, it is.

Senator MCCAIN. There are, I guess, three of us here, General, that have been going over there for the last 11 years, and we have not seen the progress that we had hoped would take place, and we do see quite often sentiment on the part of Afghans and their neighbors that the United States spends most of its time announcing withdrawals and dates for withdrawals rather than recipes for success. Some of us, as I say, who have been observing this for a long, long time and made many, many visits and many, many briefings are deeply concerned.

I hope that you will in your assessment and your ability take into serious consideration our ability to complete the mission and that is a stable Afghanistan that is able to defend itself over time. Frankly, I am not sure that is the case today and I am not sure that if we start drawing down immediately that we may be able to achieve that goal. We have sacrificed a lot, as you know far better than I do, and we are going to want to have an assessment as to whether this mission can actually succeed or not.

I thank you for your willingness to serve.

I thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator McCain.

Senator Webb.

Senator WEBB. Thank you, Mr. Chairman.

I would like to begin by expressing my strong confidence in General Dunford in every sense of the word. I have a tremendous respect for his leadership, for his integrity, and when you look at his bio—I do not think people have really looked at it very closely this morning. They probably have in the past. But the greatest reward in the Marine Corps for leadership is to give someone command. General Dunford has commanded at the platoon level. He has commanded three different times at the company level. He has commanded a battalion. He has commanded a regiment. He was commanding general of the 1st Marine Expeditionary Force. In addition to that, he has a Master's in Government from Georgetown University and a Master's in International Relations from the Fletcher School.

I have been privileged to know General Dunford for more than 20 years. I think he is not only well prepared, but he is a person we need over there in this very difficult and complex assignment. He has a sense of duty that I admire. He has a great understanding of the role of the military and our governmental process and, as we have seen this morning, has a willingness to provide unambiguous, direct policy advice. That is what we are going to

need as we begin to sort out what direction the country should be going in Afghanistan.

General, I would like to take up, first of all, where Senator Lieberman left off in discussing this bilateral security agreement. As you know, the President was over in Afghanistan to sign what they called an enduring strategic partnership agreement. I think a comment that was made at the time was this was a binding agreement.

I have had a problem with the way that we have addressed these long-term agreements beginning with the way that they were reached in Iraq. I think in some ways we are paying the price of the way that the Strategic Framework Agreement was reached in Iraq. I warned at the time that by allowing an executive agreement to determine the long-term national policy, while excluding congressional participation, is really kind of strange in terms of how our governmental systems should be working. The Iraqi Parliament voted on that Strategic Framework Agreement. We did not even have the opportunity to debate it, much less vote on it.

I am informed by my staff that there was a conference call with Senate staff from Admiral James Warlick, the Deputy Special Representative for Afghanistan and Pakistan, talking about this agreement. His comment was—I am reading from staff notes—that the agreement will contain no binding commitments, and as a result, there is no need to formally bring the document to the Hill. At the same time, again he says that the Afghan Parliament is going to review and approve the agreement. I think whenever you have an agreement that is going to propel action here in Congress later on, that we really should have direct congressional involvement. This is a clear, long-term message for a relationship between two countries.

This is not something that is completely in your bailiwick, but I would like to raise it for the concern of my colleagues here. This is something that Congress should be directly involved in, and if it is not, you are going to see the same kind of problems we have had in Iraq.

You and I discussed a number of times what I mentioned to General Petraeus and Admiral Mullen almost 4 years ago when we were moving in this escalation in Afghanistan. My great concern was that the metric for success was going to be largely determined by two factors that we really cannot control. One is the validity of the national government, and the second was the growth of a national military and police force to a size that by quantum numbers had never been achieved in Afghanistan's history.

I would like your thoughts on those two metrics as they affect your responsibilities.

General DUNFORD. Senator, I believe that the most significant strategic event that is going to occur between now and 2014 are the elections in April 2014. Without successful elections in April 2014, I am concerned that the conditional contributions that were pledged in Tokyo and in Chicago both for development and for security forces will not be there, and those are absolutely critical to our ability to sustain the effort and meet our objectives post-2014.

The other reason those elections are so important is because I think the legitimacy of those elections in the eyes of the Afghan

people is going to have a lot to do with their willingness to support the Afghan Government and therefore not support the Taliban.

I could not agree with you more that the national government, the legitimacy of the national government, and more importantly adequate elections in 2014 are a precondition for our success.

With regard to the ANSF, I do not know what Afghanistan will be able to sustain over time well past 2014. I do believe we can sustain a force of 352,000 through 2014, and I think it is important that we look at sustaining the right level of force post-2014 as well. But at some point when the coalition resources are no longer available in the amount that they will be available in the initial years of the decade of transformation, and at some point when the U.S. resources are not available, then I think the ANSF will have to right-size to meet their security requirements within their resources.

Senator WEBB. We tend to characterize the challenge simply as Taliban versus the present government, and yet when I go back to the Bonn agreements where the structure of this present government was agreed to, there was a lot of concern that the structure itself may not fit the history of this country in the longer term. You may end up seeing the need for an actual different structure, a devolution away from a central government before you can have stability.

Do you have any thoughts on that?

General DUNFORD. Senator, I think one of the most important aspects of our endeavor, both on the governance side and security side, is that whatever we come up with has to be sustainable over time. That clearly will require a uniquely Afghan solution to governance. As I look at the election of 2014, our primary role is to provide support to the ANSF as they secure the elections, and our primary role as a government is to support the Afghans as they conduct elections that will be seen as legitimate to Afghans. I do believe that the organizational construct of the Afghan Government over time needs to take into account the culture, the requirements, and the desires of the Afghan people to be sustainable over time.

Senator WEBB. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Webb.

Senator Ayotte.

Senator AYOTTE. Thank you, Mr. Chairman.

Thank you, General Dunford, for your distinguished service to our country, and I appreciate your tremendous qualifications for this position. I certainly give the best to your family as well.

I just want to ask a very straightforward question which is, understandably many of my constituents, Americans, have grown more weary, and what I would like you to tell us is why does the outcome in Afghanistan matter to Americans and what are the consequences for us—if we were to make the decision right now to say we are going to pull out right now? Could you help us with that? I just want to understand that because we have made tremendous sacrifices there of our men and women in uniform.

General DUNFORD. Senator, thank you for that question. That is the most important question, I think, of American people and one we should be able to answer very clearly.

In the wake of September 11, we went to Afghanistan because there was sanctuary for al Qaeda and the attacks of September 11 were planned in Afghanistan. That area still is ripe for sanctuary for al Qaeda. That region is ripe for sanctuary for al Qaeda. We also wanted to establish a government in Afghanistan and ensure that the Taliban were no longer in a position to harbor al Qaeda in that part of the region. Those objectives remain, that is, to deny al Qaeda sanctuary in Afghanistan and deny the ability of the Taliban to overthrow the government in Afghanistan.

Now the mission is to ensure that those gains that we have made over the last several years, particularly in the area of development of the ANSF, and the gains we will make as a result of the elections in 2014 providing enduring government, will ensure the Afghans can do what we have been doing over the past decade.

I would be concerned at this point that if we did not complete the mission—and again, as I mentioned in my opening comments, I believe the objectives are attainable. If we did not complete the mission, we would have an area in Afghanistan where al Qaeda can continue to operate. We would also have a destabilized country on the west side of Pakistan wherein we have significant national interests as well. I think it would be bad from the perspective of providing sanctuary for al Qaeda and would have a destabilizing effect on the region with, I think, second and third order effects that would be significant and inconsistent with our national interests.

Senator AYOTTE. In looking at the conflict in Iraq and thinking about our failure to be able to negotiate a SOFA there, what lessons do you take from that experience in terms of us being able to negotiate a similar agreement in Afghanistan? In addition to that, what lessons do you also take from Iraq?

One of the concerns I have on a secondary but equally important issue is when we look at Iraq, for example, we have someone, a detainee, Ali Musa Dakduk, who is a Hezbollah leader who was involved in the murder of five Americans, who the Iraqis are going to let go. We have individuals, do we not, that are in custody in Afghanistan that may be third party nationals, others who are too dangerous to release? I see that as also an issue that needs to be negotiated going forward to make sure that we are not releasing terrorists back out into the open to then harm us and our allies.

General DUNFORD. Senator, with regard to the first question in terms of lessons learned, I think one of the critical lessons learned is that we need to allow sufficient time for negotiations to be complete. I am encouraged that we have internalized that lesson learned as a result of the Strategic Partnership Agreement that was signed in May that set a timeline for having the bilateral security agreement signed within 1 year. Again, that is May 2013, which is still 6 months ahead of our plan, full transition to Afghan control.

[The information referred to follows:]

Please accept this insert to clarify the statement I made during the hearing.
I misspoke during the hearing, and should have said November 2013.

General DUNFORD. I think in that regard, we have internalized the lesson learned, and I am optimistic we have sufficient time to get that agreement signed which is so important. I think our nego-

tiations in Iraq perhaps started later than they have started in Afghanistan.

The other important lesson that we have learned is that the functions that are currently performed by the ISAF in Afghanistan—and there are some 400 different functions—must eventually be sent out to other organizations where those functions can be performed on an enduring basis, that is, those functions that are enduring. I know right now that there is a detailed effort ongoing in the ISAF as well as back here in Washington and in the capitals to identify those various functions and ensure that over the next 25 months we have a logical, responsible, deliberate way of passing those functions off so that we have continuity as we go into the period of transition post-2014.

I think at the strategic level, those are two of the more important lessons learned, and there is evidence that we have learned those lessons from Iraq's experience.

With regard to the individuals of the ilk that you mentioned that need to be detained, I look at that as first and foremost a force protection issue. There are clearly individuals, al Qaeda and other members of the Haqqani network and some of the more extremists, who are absolutely irreconcilable. From my perspective those individuals need to remain locked up for the safety and security of our forces as long as we are in Afghanistan and the safety of the American people and their interests after we come out of Afghanistan.

Senator AYOTTE. Are we not still, though, facing a challenge with respect to—the administration has taken the position that we are not going to add anyone else to Guantanamo Bay as to making sure that if those individuals remain in custody in a place like Afghanistan, that we could assure that they would not be released. I think that is one of the challenges we faced in Iraq. Would you agree?

General DUNFORD. Senator, it was absolutely one of the challenges we faced in Iraq, and I know, at least from the periphery, that the administration is now working on the framework within which that issue can be addressed.

Senator AYOTTE. I think it has to be. We cannot keep releasing people like Daqduq who have the blood of Americans on their hands and clearly are the type of individual that is going to go out and continue to engage in terrorist actions. I think this is an incredibly important issue in terms of protection of the American people and our allies.

One other final question. The Wartime Contracting Commission found that $60 billion of U.S. contracting funds had been wasted, misspent, or went in the wrong hands in Iraq and Afghanistan. As a result of that, Senator Brown and I had introduced into the defense authorization bill in 2012 provisions to cut through the red tape so that you could cut off contracts sooner if our taxpayer dollars were getting in the wrong hands or, God forbid, to insurgents, which did happen as well.

How are those provisions working? What more can we do there? Could you give us an update on whether that has been helpful to you?

General DUNFORD. Senator, first, thank you for your assistance in passing that as part of the National Defense Authorization Act

(NDAA) last year. In fact, General Mattis at U.S. Central Command who has that authority has used that authority a great deal over the past year. In fact, I understand at least $12 million that might have otherwise gone in the hands of the Taliban did not go into the hands of the Taliban because he had the authority to cancel those contracts because of the association of the contractors with the Taliban.

I also believe that over the past year—and I did spend quite a bit of time on this on my visit—that they have changed the organizational construct at Central Command, at ISAF, and within the Afghan Government, and of course, our embassy lead in Afghanistan to provide better oversight to contracts and ensure that the money that we provide, that the coalition provides, achieves the effect desired in terms of growing the capacity of the Afghans.

I believe that is a good news story. I think that part of the NDAA in 2012 has allowed us to be more effective on the battlefield, and I know that both General Allen and General Mattis are very appreciative of having that authority and they have used it.

Senator AYOTTE. Thank you very much, General. Obviously, if there is anything more that we can do to give you the authority that you need there to make sure that the money does not get into the wrong hands we would look forward to working with you on that. Thank you.

General DUNFORD. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Ayotte.

Senator Begich.

Senator BEGICH. Thank you very much. Thank you for being here this morning. I want to echo my colleagues' comments that I am looking forward to your appointment and to your new tasks or additional tasks to your already long distinguished career in the military. Thank you for being here this morning.

Let me ask you, we last week—I think it was last week—over about 100 of our Alaska national guardsmen returned from Kandahar where they had been providing security for the provincial reconstruction team, the 4th Brigade Combat Team, stationed at Joint Base Elmendorf, and also is now in the process of redeploying to Kandahar. They did a great job, and I think all our folks, our 425, 125, did a fantastic job there.

In your opinion, tell me—and I have heard a little bit about it today, but I want you to expand a little bit more—how do we continue to have the success that I think they did in the work as we start drawing down? Give me your sense as we start drawing down. They have had some great impact over the last year here while they have been deployed. But how do we ensure that as we start drawing down and making sure the Afghan force is ready to lead and take charge? I know it is like repeating what you have been saying, but I just want to expand and hear a little bit more.

General DUNFORD. Senator, to date, the growth of the ANSF is, as I think it is fair to say, focused on quantity. We have grown the force to the size that it is now, again 352,000 that are least recruited and in the process of being trained. I think the focus over the next 25 months has to be addressing the quality of the ANSF. That certainly indicates improvement in literacy. It indicates improvement in leadership. There are a number of enablers that need

to be grown in order for the ANSF to sustain themselves post-2014. Those include areas like aviation, counter-improvised explosive device (IED), medical support, fire support, and artillery.

I sat through a meeting last week. Deputy Secretary of Defense Carter is personally involved in this. He has a weekly meeting with all the stakeholders to include those that are in Afghanistan to ensure that there are no bureaucratic obstacles to our meeting those requirements over the next 2 years to give the Afghans what they need. But from my perspective, we will continue to address literacy. We will continue to address the institutional requirements for the Afghans to continue to train themselves after we leave, to continue to provide professional military education and, as I mentioned, to have those enablers available for them to be able to operate post-2014. That is our primary task post-2014, and I think our presence post-2014 will be informed by the gaps that remain as a result of our efforts in these next 25 months.

Senator BEGICH. Can I expand a little bit on the literacy issue? To me this has been one that I have brought up multiple times here in this committee. In order for them to have and understand a better enforcement of the rule of law, as well as just managing the forces, can you give me some thought of what you see as how you can improve the literacy rate? We had an advantage in Iraq because the literacy rate was much higher, and then the transition moved in a different way. But in this case, the literacy rate is much lower. Give me a little sense there because I am concerned—and I have said this before, and I appreciate what you said there. Get the quantity first and then create the higher quality that needs to be sustainable over the long haul. I am assuming the literacy has to be a critical piece of that. How would you step through that?

General DUNFORD. Senator, it is a critical piece, and I am aware that the National Training Mission-Afghanistan now has a literacy program that is integral to our training of the ANSF. That literacy program is down at the lowest tactical level to ensure that all the soldiers are exposed to that and we enhance their literacy. It is obviously focused in areas like those units where we will have aviation and fire support where there is a more technical aspect of their performance. We prioritize and enhance literacy in those areas even greater. I think this is a long-term effort, and if I am confirmed, certainly as I would provide oversight for the ANSF, this would be an area of particular interest.

Senator BEGICH. In regards to the drawdown and the transition, I am a supporter of it. I want it done by 2014.

I also want to say something because I heard a comment earlier. I do not think you are coming in with a blank slate. You have a lot of depth here and a lot of knowledge. You may not have all the details yet of some of the elements, but I think, you do not earn those stars by just showing up one day. You have spent a lot of years understanding the military operation and what needs to be done in situations like this. That is why we have one of the brightest and the best and most mobile units that can move anywhere.

Let me ask you, do you think, from the knowledge you have today, you have all the authorities and abilities to ensure that those transfers of power continue as well as movement of equipment out of the country that needs to be done or disposal of equip-

ment, all those pieces that mechanically you will need to make sure that transition occurs properly? Do you think you have all those authorities you need at this point?

General DUNFORD. Senator, my initial assessment is that we do have all the authorities that we need for the retrograde and redeployment piece. I did, among the meetings I sat through during my recent visit, sit through General Allen's staff brief on retrograde and redeployment, and they did not identify any areas where they needed additional authorities. But if I am confirmed, I will certainly come back if I identify gaps in our authorities in order to facilitate a redeployment and retrograde.

I would note that one significant thing has happened this month on the 2nd of November to assist us in getting our equipment home, integral as part of the campaign, and that was the terms of reference were signed with Pakistan to reopen the ground lines of communication. That has been a significant problem over the last several months. I was very encouraged by the signing of that terms of reference and by the pending opening after a proof of concept with the ground lines of communication which will greatly assist in the area that you identified.

Senator BEGICH. Let me ask you, you made a comment and I want to make sure of what I understood this statement to be. You said "the decade of transformation". It was a phrase you used. Do you mean as combat forces are out, then the next period of time of transformation, or are you talking about what has occurred and where we are today?

General DUNFORD. Senator, thank you. Thanks for the opportunity to clarify that.

The decade of transformation I referred to was a framework established in Tokyo by our coalition partners and interested nations. That provides the framework for the decade of transformation. It really will begin with the transition that takes place in December 2014. What I alluded to was a 2014 to a 2024 decade of transformation that would solidify the gains that we have made over the past 10 years and again address the sustainability of governance, security, and development post-2014.

Senator BEGICH. Very good.

My time has expired, but I want to leave you with one thought. I know this probably does not fall to you because I know how DOD and the military operate. You have certain categories you work within. But in that decade of transformation, has there been some hard numbers attached to that, financial numbers or what the U.S. commitment would be? If you are unable to answer that—and I recognize that you may not be able to at this point—can you get something for the record at some point of where people are starting to estimate what that transformation would look like from a U.S. commitment?

General DUNFORD. Senator, I can do that and take that for the record.

Part of it will be the development piece and that really was the Tokyo piece. So as not to be confusing, in Tokyo, nations pledged to seek funds from their governments during the decade of transformation. The commitment was absolutely conditional based on the need of nations to go back to their congress and be resourced.

In Chicago, the resources necessary to sustain specifically the security forces were identified.

What I can come back to you with for the record is the amount of money that we initially projected would be necessary to sustain the ANSF post-2014 and some sense of who is willing to contribute those resources post-2014.

[The information referred to follows:]

At the North Atlantic Treaty Organization (NATO) Summit held in Chicago on May 20–21, 2012, NATO and International Security Assistance Force partner nations made a strong pledge of long-term support for the security in Afghanistan. To this end, partner nations (including the United States) committed $3.6 billion per year for the Afghan National Security Forces (ANSF) starting in 2015 and running through 2017. The Afghan Government agreed to provide roughly $500 million annually and to progressively increase its share of financial responsibility for maintaining its security forces over time. In total, the post-2014 pledge is approximately $4.1 billion per year. The major share ($3.0 billion) of the annual pledge through 2017 of the $3.6 billion for the ANSF was made by the United States.

There will also be continued development funds provided by the U.S. Agency for International Development through the Department of State for further development projects including capacity development and other non-security programs that will cover a wide spectrum of socio-economic advancements.

Senator BEGICH. Very good. That is one part of the equation. We have also the governance, State Department, and so forth, which I can ask that question to them.

General DUNFORD. Thank you, Senator. That is the Tokyo piece. I will come back to you and address the Chicago piece.

Senator BEGICH. Okay. Thank you very much.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Begich.

Senator Collins?

Senator COLLINS. Thank you, Mr. Chairman.

General, one of our members this morning encouraged you to always speak truth to power, and I have no doubt that you will do just that because my friend and colleague, Senator Joe Lieberman, told me that when you visited him in his office, he asked you what baseball team you supported. Of course, Joe is a confirmed, misguided Yankees fan, and you admitted freely that you were a Red Sox fan. I think that was a great example of speaking truth to power. I, of course, commend you on your choice of baseball teams even though it was a rough season for the Red Sox. [Laughter.]

I do want to turn to, obviously, more serious issues today. General, twice you have stated this morning that you believe that our objectives in Afghanistan are achievable. Of course, the primary objective in Afghanistan since 2009 has been to disrupt, dismantle, and eventually defeat al Qaeda in the region and to prevent its return to either Afghanistan or Pakistan. Yet, national intelligence estimates, reports from the International Crisis Group, and the Special Inspector General for Afghanistan Reconstruction (SIGAR) have cast doubts on the ability of the ANSF to consolidate and hold the gains in security that have been made in Afghanistan over the past decade at great cost and treasure to our country and others. These reports also cast doubt on the likelihood of the Afghan Government providing good governance and dealing with endemic corruption such that it would enable the ANSF to do its job in fighting the insurgency.

Given the escalation of insider attacks, the sanctuaries that still exist in Pakistan and the level of corruption in the Afghan Government, why do you believe that the objectives are indeed attainable? It seems to me that the intelligence reports, the lack of progress, and the surge in insider attacks paint a very bleak picture.

General DUNFORD. Senator, actually thank you for asking that question and giving me an opportunity to put what I believe to be those reports in perspective. Here is what my confidence is based on in terms of reaching our objectives specifically with regard to the ANSF.

Five tranches of transition were identified. Five geographical areas were identified to be transitioned to Afghan security control. We have initiated the transition in three of those five. In the three first tranches that we transitioned over to the ANSF, violence has actually decreased. I think it is very important to recognize that the violence that is taking place today is largely outside of the populated areas because the ANSF have secured the populated areas.

The other reason why I am optimistic is, again, when I look at the ANSF and where they were in 2008 when I first observed them and where they are today in 2012, it is a dramatic improvement. As I look forward over the next 24 or 25 months, if we maintain the trajectory that we have had over the past several years into the next 25 months, I believe the ANSF will be capable of providing security.

I think it is important to look at that in relation to key milestones. This summer we will go to milestone 2013, and at that point all five geographical areas I mentioned will be in transition. The Afghans will be completely in the lead at that point. Given what I project to be our coalition and U.S. support in the summer of 2013, I am confident in the ability of the ANSF to secure those five geographical areas. They will still need, in some cases, our combat operations to take place. They will absolutely need us to provide enabling support, and we will also still be doing the advise/assist mission as we transition to a largely advise/assist mission in 2013.

The next major event is the elections in 2014. Again, when I look at the Afghan capability, combined with what I believe to be the resources that we will provide, and I look at where the Taliban is at this particular time and where they will be in 2014, I project the Afghans will be able to provide security at that time as well.

I think in addition to looking at the level of violence and where it is occurring largely outside those populated areas, it is also important to note that the Taliban has had significant leadership losses over the last 2 years. The average age of a Taliban leader now is probably 10 years younger than it was when the war started 10 years ago. They have had significant attrition. Our Special Operations Forces and our conventional operations have significantly attritted Taliban leadership. We also see indications of the Taliban suffering financial difficulties and being unable to sustain their effort, and they clearly did not achieve their objectives in their campaign during 2012.

Senator, I do not, for a minute, understate the challenges associated with this endeavor. I recognize what has to happen between now and 2014 to continue to solidify the gains we have made with

the ANSF and make those sustainable. I also recognize that we need to provide some support to them post-2014. But the important thing is to look at the relative capabilities of the insurgents versus the relative capabilities of the ANSF with that support we are going to provide, and to that extent, I believe we will meet our objectives and the Afghans will be able to sustain that level of security that we achieve in December 2014.

Senator COLLINS. General, you mentioned that the overall level of violence in Afghanistan has declined. I wonder, Mr. Chairman, if we could ask for some statistics on that. I have read an alternative analysis that suggests that the surge has not been successful in eastern Afghanistan and that the level of violence in that part of the country has actually increased. Now, I understand when you have a surge, you are going to have an increase in violence just because there is more combat, more fighting. But at this stage, I think it would be helpful for us to have a measure of the effectiveness of the surge in reducing violence particularly to the civilian population. I would hope that the chairman would ask for that information.

Chairman LEVIN. Let me just respond to that request because I have asked for it, and I actually looked at it this morning. It is really interesting, and I think it very much supports General Dunford. But, nonetheless, I asked for it to be updated. It is a month behind. We can now get the October and we will be able to get the November results so we can compare apples and apples this year to last year. It is a very important request you are making and I hope that by the end of next week we would have those statistics updated and I will make them available to everybody.

Senator COLLINS. Thank you. That will be very helpful.

[The information referred to follows:]

The end of the surge provides an opportunity to look back upon its accomplishments. Almost every security metric has improved during the last 2 years. The comparison between 2012 to date and 2010 (the first year with surge-level forces) is stark: Enemy Initiated Attacks have declined by 12 percent, improvised explosive device explosions have declined by 9 percent, International Security Assistance Force-caused civilian casualties have declined by 28 percent while insurgent-caused civilian casualties increased by 11 percent, Direct Fire attacks have declined by 9 percent, and indirect fire attacks are down by 24 percent. Also during this time, the Afghan National Security Force has grown by 88,464 personnel, and has dramatically increased its capabilities. The areas of the country influenced by the insurgents and the ability of the insurgency to attack the population have been significantly diminished. Although challenges remain and progress in Afghanistan has been uneven in many areas the security gains resulting from the surge are clear.

Senator COLLINS. Just quickly, I know my time has expired. I just have to express my deep concern about the escalation in green-on-blue attacks. I know that you have said that each death has strategic implications and I know that you recognize that these attacks also are absolutely devastating to the families of American servicemembers since they are trying to train and help these Afghan forces, and then to be killed by them is just devastating. I think that these attacks also are jeopardizing the willingness of our partners to continue their own missions in Afghanistan. For the record I would ask, since my time has expired, whether you think this escalation threatens the ability for us to continue training and equipping the Afghan forces and eventually turning over the authority to them?

Chairman LEVIN. I think if you could give a brief answer to that instead of leaving it for the record.

Senator COLLINS. Thank you.

Chairman LEVIN. It is such an important answer. I think our colleagues would understand that.

General DUNFORD. Mr. Chairman, I would be glad to. Thank you, Senator.

First and foremost, the insider threat is a force protection issue, and as such, if I am confirmed as the Commander, I can assure you, Senator, I will be personally and decisively engaged on the issue of insider threat. I have had an opportunity to take a look at what ISAF has done under General Allen's leadership to address the insider threat. I have been impressed by the comprehensive approach to the insider threat that has been taken both at home station in terms of enhanced training and training that takes place once we are inside of Afghanistan.

There has also been a significant increase in the number of counterintelligence resources being provided in Afghanistan, both inside the coalition, as well as inside the ANSF.

Perhaps what is most encouraging to me—and it perhaps is too early to see if it is the result of our success, but we have had a reduction in insider threats over the last couple months as we have implemented these new measures. But what is most revealing to me is that the Afghans—clearly the Afghan leadership takes this issue seriously. I had an opportunity to sit through what General Allen calls the campaign synchronization conference during my recent visit. The minister of interior, the minister of defense, and all of the corps commanders and their subordinate leadership were there. The Afghans recognize this for the threat that it is.

You asked what my perception of the threat is. In addition to being a force protection issue, it clearly is an issue that could undermine the trust which is the foundation of our relationship with the Afghans, and it could also affect the will of the coalition at the strategic level to stay there.

I could not agree with you more, Senator. It is a critical issue. It is an issue that needs to be addressed. I do not think it is ever solved. I do not think we should ever be complacent and think we have solved it. We need to stay out in front of the enemy. We know we have an adaptive thinking enemy, and as we make adjustments, as General Allen has, the enemy will also adjust and we need to stay out in front of that. But, again, I can assure you that if I am confirmed, that issue will be at the top of my in-box and I will be personally and decisively engaged in assuring that we address it properly.

Senator COLLINS. Thank you, General.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Collins.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman.

Good morning, General. Let me just start by acknowledging your service. You have served with great distinction and selflessness for many years. I know everybody on the committee wants to acknowledge your service.

I also know your family has been an important part of your service, and they have sacrificed as much as you have. I want to extend my gratitude to your family as well.

Here you sit, having carried a load, much more than your fair share these last years, and you are preparing to do even more. We look forward to seeing you in theater as we discussed yesterday when you came by to visit me, and I just want to let you know you have my deepest thanks for your service.

Let me, if I might, move to an insight you might be able to provide us based on your service in Iraq. Afghan and Iraqi cultures are different, and the nature of those two wars were different in some respects. But I know there are some lessons that you learned in Iraq, and I would like to hear what you learned and how that might guide you as the Commander of ISAF over the next 2 years.

General DUNFORD. Senator, thank you for that question. I think the first thing we all recognize is that the defeat mechanism for the insurgency is going to be capable indigenous security forces. I think of all the lessons that we learned in Iraq, the successes that we had in Iraq were a result of our effort to stand up capable Iraqi security forces, and we certainly saw that that is what happened in Anbar Province. That is what happened in Baghdad, and that is what happened in the other areas of violence in Iraq. As we were able to grow capabilities with Iraqi security forces and provide them with the requisite level of support, they were able to take the fight to the enemy, and from my perspective that capability that the Iraqis had is what was the defeat mechanism for the insurgency in Iraq.

I think similarly what we take to Afghanistan is a recognition that the critical part of our effort in Afghanistan over the next 2 years is to continue our efforts to develop the capabilities of the ANSF. Those indigenous forces will be the forces that allow us to be successful in Afghanistan. Those forces are the ones that will allow our success to be enduring. I think at the strategic level that is absolutely the thing that is similar from Iraq to Afghanistan and one we ought not to lose focus on.

Senator UDALL. Let me pick up on that line of testimony and turn to the Afghan Local Police (ALP). When I was last in Afghanistan with Senator Jack Reed last October, that was a real focus of General Allen and a number of his subordinate commanders. And there were some positive signs. ALP forces are locals. They are, therefore, more trusted by villagers and community elders.

Do you support the continuation of the ALP program, and are there lessons learned there that we could incorporate into other ANSF organizations?

General DUNFORD. Senator, thank you for that question.

I absolutely support the continuation of the ALP, and I think what our Special Operations Forces have done in establishing village support operations in the ALP has been one of the success stories over the last 18 months. But perhaps it is better for me to share with you the perspective of the Afghans and the perspective of Taliban on the ALP to make that point.

I did sit through, as I mentioned a minute ago, the synchronization conference of Afghan leadership. As you might recall, when the ALP was first introduced, there was some resistance amongst

the Afghans to implementing that program. The only issue that the Afghan leadership had about the ALP during the recent security synchronization conference was how much faster can we meet the full tashkil or authorized level of ALP. There are about 16,000 fielded right now and there is a full authorization level of 30,000. From the perspective of the Afghans, they very much recognize that this local solution to security, completely linked to local leadership and under the supervision of district police, is an absolutely successful program.

But what is most interesting is the Taliban's perspective of the ALP. In the Taliban view, the ALP is one of the most significant issues that they have to address in order to be successful. They believe that as more ALP are fielded and more areas come under ALP protection, with the windbreak that the ANA and the ANP provide—they view that as a very concerning development.

I think both General Allen and ISAF view ALP as a successful program. I certainly, if confirmed, would intend on continuing that program. But, again, as importantly, when you look at it through the lens of the Afghans and the lens of the Taliban, I think you get some sense for how important that program has been and how successful it has been and how much it can help us meet our objectives in 2014.

Senator UDALL. Mr. Chairman, I have been in and out of the hearing this morning. It is a busy day on the Hill. I do not know if anybody, General, had asked you about sequestration and the effect it would have on our plans in Afghanistan. I might ask if you would submit for the record any thoughts you have on sequestration. As important as that is, if you would do that, that would be helpful to the committee.

General DUNFORD. Senator, do you want me to answer now?

Senator UDALL. If you would submit something to the record because I want to move to another question.

General DUNFORD. I will do that, Senator.

Senator UDALL. Because I know we are all very concerned about sequestration.

[The information referred to follows:]

Sequestration would have devastating effects on both the Department of Defense (DOD) and on other agencies, including the Department of State. While it is premature to outline specific impacts, sequestration would force DOD to revise a strategy that was carefully crafted and designed to meet current national security needs.

The wartime activities budget, Overseas Contingency Operations (OCO) funding, is subject to sequestration and protecting OCO funding from sequestration will require disproportionately larger cuts in base budget accounts.

More generally, sequestration would mean fewer day-to-day global military activities, notably exercises and training. We will have fewer options for responding quickly to emerging crises, and our ability to deter potential adversaries will be diminished. Over time, the total Joint Force will become less capable to respond across a range of missions, less adaptable to emergent challenges, and less modern relative to the forces of potential adversaries.

Senator UDALL. You mentioned some of the capitals you are watching closely, and I would like to ask you about one more and that is New Delhi. I know you are going to make some periodic trips, I am sure, to Islamabad. We talked about that yesterday.

Do you think there is any hope of engaging New Delhi in working towards a resolution of that relationship between Pakistan, Afghanistan, and India in ways that might reassure Pakistan?

General DUNFORD. Senator, at this point I do not have insight into what our Government is doing to try to work the very delicate relationship between Pakistan and India. I am certainly aware that that is going to be critical to regional stability in the long term and our success in Afghanistan. If confirmed, I suspect that I will be involved in that issue and have an opportunity to provide some military advice as our civilian leadership works through the diplomatic piece.

Senator UDALL. Speak to the announcement that Pakistan is going to release several low-level Taliban prisoners at the request of the Afghan Government. Do you think that this suggests we could work towards a negotiated settlement, or do you think that there is just really no path to deal between the Afghan Government and the Taliban without Pakistan?

General DUNFORD. Senator, I would absolutely support any initiative that would bring a political resolution to the conflict in Afghanistan, and I know Ambassador Marc Grossman, our special envoy, is working very hard to effect some reconciliation working with the Afghan Government and other interested partner nations. If confirmed, I would be absolutely supportive of that and do what I can from a military perspective to support Ambassador Grossman's efforts for reconciliation.

I do not, at this time, have a sense for the probability of reconciliation in the near term but, again, would look forward to supporting Ambassador Grossman as he tries to lead our Government in effecting some type of reconciliation.

Senator UDALL. General, again thank you for your service. I look forward to seeing you in theater over the next 2 years as we bring this war to a successful conclusion under your leadership. Thank you.

General DUNFORD. Thank you, Senator.

Chairman LEVIN. Thank you, Senator Udall.

Senator Graham.

Senator GRAHAM. Thank you, Mr. Chairman.

I would like to associate myself with Senator McCain's comments about General Allen.

General Dunford, thank you for being willing to serve.

Chairman Levin and I will get back with the administration and certainly consult with you about our desire to make sure that we understand the value of a 352,000 Afghan army for some time to come and the cost/benefit analysis. The more they can do and the more they have, the less they will need us. Senator Levin, I associate myself with that inquiry.

General Dunford, I believe Afghanistan is salvageable, but if we do not do some things differently, it will not be successful.

Trip wires. Do you agree with me if the 2014 elections in Afghanistan go poorly, then that would be a major setback for the future of Afghanistan?

General DUNFORD. Senator, I could not agree more. I do believe that the elections are critical. They are critical for two reasons. One is that the pledges that were made in Tokyo and Chicago are conditional, and part of those conditions involve addressing the issue of corruption and having successful elections in 2014.

I also think in order for us to give confidence to the ANSF and the Afghan people, legitimate governance must be established. Over the last several years, I think it is fair to say that security has enabled the development of governance. I think it is also fair to say that over the next couple years effective governance is going to be necessary to make the gains that we have made in security enduring.

Senator GRAHAM. President Karzai has indicated to me and I think others that he intends not to run. I think that would be a good decision for the future of Afghanistan. I would just like to say if for some reason he changed his mind and tried to seek another term, that would be absolutely devastating in my view for the future of Afghanistan.

Now, the last card to play by the United States, would you agree with me, is the Security Partnership Agreement being implemented effectively, robustly, and that the bilateral security agreement is really the last card to play in terms of maintaining a bright future for Afghanistan?

General DUNFORD. Senator, I would agree with that. I think the bilateral security agreement, which is a logical extension of the Security Partnership Agreement, is what will make the gains that we have in Afghanistan——

Senator GRAHAM. It is the difference between winning and losing?

General DUNFORD. I believe so, Senator.

Senator GRAHAM. We would need, in your view—militarily they do not have much of an air force. It would be smart to have some F–16s over there for a while past 2014?

General DUNFORD. Senator, I think we are going to have to address a number of areas that are going to be capability——

Senator GRAHAM. Let us talk about air power. Would you think air power by American—

General DUNFORD. Yes, Senator. Air power is important.

Senator GRAHAM. Because they do not have an air force that could do that.

Attack helicopters. That makes some sense. Right?

General DUNFORD. It makes sense, Senator.

Senator GRAHAM. Counterterrorism is an insurance policy for America to make sure the Taliban never comes back and al Qaeda does not regroup. Right?

General DUNFORD. It is, Senator.

Senator GRAHAM. Intelligence capability. How many drones does the Afghan army have?

General DUNFORD. They do not have any at this time that I am aware of, Senator.

Senator GRAHAM. The intelligence capability of the Afghan Security Forces is basically more human than it is technical and all the technical, gee-whiz stuff in Afghanistan we own. Is that correct?

General DUNFORD. To my knowledge, it is, Senator.

Senator GRAHAM. Did you serve in Iraq?

General DUNFORD. I did, Senator.

Senator GRAHAM. Would you do me a personal favor if you can find time in your busy schedule? Before you make any decisions

about what to recommend to the President or this body, take a visit to Iraq and see how the place is playing out.

General DUNFORD. I will, Senator.

Senator GRAHAM. I want you to go because you and others fought so hard and it is coming apart and I do not want that to happen to Afghanistan.

Do you agree with me that you could maintain a robust American military presence in Afghanistan post-2014 with a fraction of the troops we have today?

General DUNFORD. Absolutely, Senator.

Senator GRAHAM. Less than we have had in Korea for decades?

General DUNFORD. I believe that is the case, Senator.

Senator GRAHAM. A thousand would not be enough, would it?

General DUNFORD. I do not believe 1,000 would be enough, Senator.

Senator GRAHAM. We are going to let you figure that out. I know you will advise us wisely.

Now, about those troops, would you agree with me that it would be ill-advised to leave one American military member in Afghanistan post-2014 without a SOFA giving them legal protections against Afghan prosecutions?

General DUNFORD. Senator, I think we would need full protection for those in uniform. I think we would also need to have appropriate protections for those civilians from our Government that are working over there.

Senator GRAHAM. To our Afghan partners, that has been the norm in our Nation's history and all other wars and conflicts. Is that correct?

General DUNFORD. It has, Senator.

Senator GRAHAM. Particularly when you have unstable governments and people are still shooting at our troops.

General DUNFORD. That is correct, Senator.

Senator GRAHAM. I have learned a lot about the Afghan legal system. It is fair to say it has a ways to go, but our hope springs eternal.

I want to let the committee know as much as I want to get it right in Afghanistan and believe losing would be a national security disaster for the ages, if the Afghans insist on keeping American soldiers in Afghanistan without legal protections as we have afforded our troops throughout the world, I will not vote for one penny and this war will come to an end. Do you think that would be a reasonable approach?

General DUNFORD. I understand that, Senator.

Senator GRAHAM. Could you communicate that?

Are you familiar with the detainee problem we have in Afghanistan?

General DUNFORD. I am, Senator.

Senator GRAHAM. I want to compliment General Huber and the 435 Task Force because that is where I do my Reserve duty. They have done a heck of a job in spite of me. We are in the position now in the transition phase of taking 3,000-plus law of war captures that the American military and coalition forces have captured that have been in our detention system and transitioning to Afghan detention. Are you aware of that?

General DUNFORD. I am, Senator.

Senator GRAHAM. From my point of view, it is going rather well, but there are some major problems that I see in the future. One of these problems is the unwillingness of the Afghan Government to embrace administrative detention. Are you aware of what I am talking about?

General DUNFORD. I am aware of what you are talking about, Senator.

Senator GRAHAM. Are you aware of the fact that if you had to use the Afghan criminal code to prosecute most people in our custody, it would be almost impossible in many of the cases?

General DUNFORD. I am, Senator.

Senator GRAHAM. Do you understand that the Afghan criminal code really does not recognize the difference between a common criminal and an insurgent?

General DUNFORD. I do, Senator.

Senator GRAHAM. Would you do everything in your power to influence the Afghans to tell them that administrative detention, similar to what we do under the Geneva Convention, should be continued? Would you please let them know that if I see an effort to undercut administrative detention and this becomes a catch-and-release program, none of us are going to stand for one person who has been caught three or four times by American forces going back to the battlefield killing Americans again, that we want them to be in the lead, we respect their sovereignty, but they have to embrace the fact that they are fighting an insurgency? Would you pass that on?

General DUNFORD. Senator, I would. I will just comment that that is to me, first and foremost, not a legal issue but a force protection issue. We absolutely have to find a way to keep those individuals off the battlefield while we are there.

Senator GRAHAM. My last question, as my time is up. Is it possible at all to lose in Afghanistan and it not be catastrophic to the future of Pakistan?

General DUNFORD. Senator, I believe that an unstable Afghanistan would be a significant risk to the stability of Pakistan.

Chairman LEVIN. Thank you, Senator Graham.

Senator Reed.

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

Thank you, General, for your service and the service of your family to the United States and to the Marine Corps. I think the President has made a very wise nomination. You have one of the most difficult jobs ahead of you. It is being admirably performed now by General Allen. I have every confidence you will continue in that tradition of leadership from the front.

A couple of issues. The plan is in terms of transition—one of the major aspects of it is the Security Forces Assistance Teams (SFAT) that would be NATO teams that would be at the brigade level and operating with Afghan forces to be the enablers, the coordinators, and in effect the trainers. Can you comment upon the progress to date of forming these teams and also the issue that we had a chance to talk about which has potential huge consequences of the green-on-blue incidents with respect to being able to keep these teams at the brigade level or lower?

General DUNFORD. Senator, we have started to field the SFATs. In fact, my understanding is the first brigade level security force assistance organization is currently deploying at this time. It is well along the way. The teams that we have established really all over all of the regional commands are in place and effective. I think that absolutely the next logical step after partnering is to migrate to the SFATs as we move toward that long-term enduring relationship.

With regard to the insider threat, the initial data that I have had an opportunity to look at would certainly indicate that the closer we are to our Afghan partners, the safer we are, and there have been very few incidents of the insider threat associated with units that are very closely tied in the manner that the SFATs would. The units that have had difficulty are ones that perhaps have more episodic involvement than we would have with SFATs. I am optimistic that in addition to the other steps that are being taken with the insider threat, that the security force assistance team construct will actually be effective and be a mitigator, in fact, for the insider threat. Again, the data that we have is minimal, but that is my initial assessment. If confirmed, I will certainly pay close attention to that, but my perspective right now is that the SFATs are not only the right mechanism for us to take the Afghans to the next level, but they also are a mitigator for the insider threat that you talked about.

Senator REED. One of the points that you have already made in your testimony is that the ANA has made some significant progress particularly in the last several years with the training effort that has been led. The police lag behind in terms of capability, coherence, and lacking a judicial system, as Senator Graham pointed out, even a sort of governmental infrastructure, so that going forward the strongest link is the ANA.

Are you conscious of or sensitive to ethnic divisions within that force since ethnic divisions seem to characterize the country? There are always rumors of political leaders in certain towns with their own sort of paramilitary aspirations. Can you comment again about the stability of the force and the coherence of the force as a national army, not the ethnic divisions?

General DUNFORD. Senator, I can comment in general terms on that. One, I am aware of those concerns and I know that General Allen and his team are very sensitive to that and have worked with the Afghans to ensure that both the ANA and the ANP reflect the demographic mix of Afghanistan. We think that is important. The army has to be a reflection of the nation and not a reflection of one particular ethnic group that will set the conditions for challenges down the road. I know they are paying particular attention to that right now, and that is certainly, if confirmed, an area that I would pay particular attention to as well.

Senator REED. One of the major missions you will have as the NATO Commander is to not only make the transition but also to supervise the retrograde of huge amounts of materiel, equipment that is there. The principal route of entry was through Pakistan and I presume the principal route of exit would be through Pakistan. You have mentioned but can you comment further on where

you see us in terms of being able to conduct successfully those operations and get our materiel out?

General DUNFORD. Senator, I can. Absolutely the ground lines of communication through Pakistan are the most efficient, the most inexpensive way for us to get our equipment home. There are other ways to get it home, and we have been doing that over time, but it is far more expensive to do air and multimodal transportation of that equipment back home.

I am encouraged that the terms of reference were signed by Pakistan on the 2nd of this month, November. We are now moving into a proof-of-concept phase so we can reopen those lines of communication. But much of what we call frustrated cargo, those items that have been sitting for a while, have started to move and so forth. I believe right now the situation is actually pretty good.

Senator REED. You are well on your way or the command is well on its way through the planning of the movement of this equipment? You have identified the equipment that is leaving, the equipment that is staying? All that is going on as we speak?

General DUNFORD. Senator, it is. I left with a lot of confidence about that. During my last visit, I did have a chance to spend time with U.S. Forces-Afghanistan (USFOR–A) and the leadership that is overseeing that. Then on the visit before this last visit, I had a chance to visit what they call the sort lots where all the equipment is being staged and brought out. I think that it is being done now, most importantly, as an integral part of the campaign. It is not just about getting our equipment out. It is not just about moving it across the ground lines of communication. It is about doing our retrograde and redeployment consistent with our campaign objectives. My perspective is that concept is very well understood within ISAF and within USFOR–A and they are well ahead of where they need to be in terms of meeting their objectives.

Senator REED. You are the NATO Commander. I know you have been on the ground in Afghanistan. Have you had any contact with other NATO commanders and leadership in NATO in preparation?

General DUNFORD. Senator, I have. I was able to accompany Secretary Panetta to the recent defense ministerial for a couple days. I sat through the bilateral discussions that we had with our NATO partners, as well as the general session with the defense ministers, and then on the sideline I had a chance to meet many of the NATO leaders. If confirmed, one of the things I will certainly do before assuming command is to visit the key capitals of our NATO partners and establish the personal relationships that I know will be so important in our success over the next couple years.

Senator REED. Thank you, sir.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Reed.

Senator Sessions.

Senator SESSIONS. Thank you, General Dunford, for your leadership and service. We appreciate that and your courage and willingness to go in harm's way to serve intensely for your leadership tour in Afghanistan.

You and I talked yesterday—yesterday or the day before? I enjoyed that conversation. I believe that you will be honest with us.

I asked you then and let me ask you today, do you believe there is a reasonable prospect for the United States to being able to be successful in Afghanistan? By that, I mean the definition you have given earlier today. What kind of prospects do we have of being able to depart from Afghanistan having successfully completed a mission there?

General DUNFORD. Senator, when I look clearly at our objectives and I look at the campaign plan that is in place right now and the progress that has been made to date, I am optimistic that with continued commitment we can meet our objectives.

Senator SESSIONS. If that were to change, will you report that to Congress as well as to the Commander in Chief?

General DUNFORD. Senator, I not only will, but I will feel compelled to report that.

Senator SESSIONS. We need to have that.

Are you familiar with the article in the February 2012 Armed Forces Journal written by Colonel Daniel Davis expressing his concern about the performance of the ANA?

General DUNFORD. I believe I am if that is a lieutenant colonel National Guard officer, Senator Sessions.

Senator SESSIONS. Yes.

It is troubling. I have heard similar stories from other enlisted personnel who deal on a regular basis with their counterparts in the Afghan army.

Will you commit to going below just the top commanders when you discuss the condition on the forces there? Will you talk to enlisted personnel, as well as junior officers, who are personally engaged and working with our allies in this effort? Will you be prepared to adjust your thinking about how well this effort is going if reality tells you it is not going as well as we have been hearing?

General DUNFORD. Senator, if I am confirmed, I recognize that any success I am going to have as a leader is going to be based on my willingness to listen to the people that are actually out there doing the work every day. I absolutely will pledge to you that I will get out and about. I will make sure that I understand the challenges and the opportunities from the perspective of the young marines, soldiers, sailors, and airmen that are actually out there doing the work. As I mentioned, I think my ability and willingness to do that is going to be all to do with any success that we have.

Senator SESSIONS. I really believe you have to do that. Of course, I am well aware that you can be in one area of the country and get one perspective and a different perspective in another area. But this individual traveled 9,000 miles in more than 8 provinces meeting and dealing with these issues on a regular basis, and it was a very troubling report, I have to tell you. I think it sounded like explicit stories or vignettes of events that occurred that give insight into an Afghan army that is not yet where we need it to be.

Let me join in support of Senator Graham in his view about prisoners and detaining people who are threats to our force. It is true in third world countries that they have a very difficult time maintaining people in prison for any long period of time. People who are direct threats to the United States I believe should be held in U.S. custody, and it is surprising to me that we cannot work out an ar-

rangement where Afghanistan would be happy that we pay for the cost to maintain the security on dangerous threats to their country.

Will you be active in ensuring that we do not have, as Senator Graham said, a revolving door, that prisoners that have been detained are not released so they can attack us or Afghan civilians and military?

General DUNFORD. Senator, if I am confirmed, I absolutely will be personally engaged in that issue, and I do view it as a critical force protection issue. That issue has to be addressed in order for us to be successful in the mission.

Senator SESSIONS. It is more difficult than a lot of people think because I have watched it closely. Senator Graham as a reservist has been over there personally engaged in it. I have been asking about it for over a decade, and I am just telling you it is not easy. It will be hard to deal with that question.

General Dunford, let me ask a little bit about Defense Department policy. There is an interesting article by Deb Riechmann in the Associated Press just 2 days ago noting that you would represent the 15th top commander in Afghanistan since 2002 and referred to it as a revolving door of generals that some experts say is detrimental to the war effort.

How much personal time have you had in Afghanistan?

General DUNFORD. Senator, I have not served in an assignment in Afghanistan. I have served as the component commander of the Marine Forces, Central. I was the component commander in Central Command for marines, had responsibility for all the marines that were assigned to Iraq and Afghanistan at that time. That was 2010. I had responsibility for the buildup of forces in Afghanistan and the retrograde of forces from Iraq. Since 2008, in all the assignments I have had since 2008, I have had occasion to regularly visit Afghanistan and then back here in Washington, as well as my assignment at the U.S. Central Command, be involved in issues associated with our operations in Afghanistan.

Senator SESSIONS. It is a very difficult thing to take any American military person away from their families and be stationed at a place where you work every hour you can possibly work with soldiers' lives. It is stressful and I know that it can wear people down over time. I do think we ought to think about this, Mr. Chairman.

According to the article, "rotating top commanders on an annual basis makes no management sense".

Thomas Ricks, a senior fellow at the Center for New American Security wrote an opinion piece Sunday in the New York Times. "Imagine trying to run a corporation by swapping the senior executives every year or imagine if, at the beginning of 1944, 6 months before D–Day, General Marshall, the Army Chief of Staff, told General Eisenhower, the Supreme Commander, that it was time to give someone else a chance to lead."

I am a bit concerned when we have life and death situations going on that we have had 15 commanders in this 10- or 11-year effort.

Do you have any concern about that? What would you do to undertake to maintain a secure transition?

General DUNFORD. Senator, what I can tell you is what I have told the Chairman of the Joint Chiefs, Chairman Dempsey, the

Commandant of the Marine Corps, and the Secretary of Defense as the process went on for my nomination that I had a willingness to serve until they thought it was appropriate for me to come home. I recognize the need for continuity and stability of leadership, particularly at this critical time, and if I am confirmed, I am willing to provide that.

Senator SESSIONS. Thank you because I know that it can be stressful, but we also need to provide our commanders who have longer tours the opportunity to be with their families and to get some time away from the stress of combat. Thank you for that commitment and your willingness to serve.

I am uneasy about the situation. We have invested a great deal. We do not need to muff it up here at the end when it could be successful and where a little different tactic, a little different policy could allow us to be successful.

Would you be frank with the Secretary of Defense, the President, and Congress if you see needs that would make a big difference in the success or failure of our effort? Would you bring that and fight for that and advocate for changes that may make a difference in the course of this long war?

General DUNFORD. I will, Senator.

Senator SESSIONS. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Sessions.

The issue you raise about the frequent change in leadership is kind of a fundamental question which I think probably needs to be raised with the Chairman of the Joint Chiefs and the Secretary of Defense when they are in front of us because it is a very significant issue. Thank you.

Senator McCaskill.

Senator MCCASKILL. Thank you, Mr. Chairman.

Thank you, General Dunford, for your special service to our Nation.

I would ask you, have you had a chance, pending this confirmation, to personally review the reports of the SIGAR that have been issued over the last 12 months?

General DUNFORD. Senator, I have had an opportunity to review the reports.

Senator MCCASKILL. I am a broken record on this, but I have become beyond a skeptic about the part of the counterinsurgency (COIN) strategy, that out of thin air decided that part of an effective COIN strategy was building infrastructure in a non-secure environment. We did $62 billion in Iraq. If you have not had a chance to read the final assessment of the Special Inspector General for Iraq Reconstruction (SIGIR) on the infrastructure building that occurred in Iraq, it is heartbreaking. The facilities that are standing empty, to say nothing of all the things we built with those taxpayer dollars that were blown up, to say nothing of the projects that are crumbled and in ruins because of, frankly, an inability to maintain or sustain what we built. We are about ready to have a report like that I believe in Afghanistan.

I cannot get anyone to give me any data points that support the notion that DOD and even the State Department undergoing massive infrastructure projects while we are trying to train an army,

establish a police force and a rule of law, have contributed to our success in theater. I would like your comments on that.

General DUNFORD. Senator, if I am confirmed, I recognize that an important part of my responsibilities will be to be a good steward of our resources. During a recent visit, I discussed this issue with General Allen. I know that he has personally, over the last 18 months, begun to review every single project to ensure it achieved the desired effect in support of the campaign. I am also aware that he has canceled millions of dollars of projects that did not meet the criteria that he felt needed to be met in order to support the campaign. What I can pledge to you, Senator, is that I will look at that issue as a matter of great importance. I do recognize it is important.

Addressing corruption is important. It is associated with some of the money that we are spending there as well, and I have identified corruption in my initial assessment as certainly one of the most strategic challenges and risks that we have in effecting a positive outcome in the campaign.

Senator MCCASKILL. Maintaining and sustaining was part of the problem. The other problem is it is clear that we funded our enemies in some instances, which is unacceptable.

Let me tell you one of my problems. I would love to see the list of what has been canceled, particularly major power/water projects which are a significant part. We know that some of the projects that are being built right now are not going to be completed until next year. One of the things I am frustrated about, even though I have tried numerous times to get specifics on this—the fiscal year 2013 money that—admittedly we have cut the money for both the Commander's Emergency Response Program (CERP) and for Afghanistan infrastructure fund. But the fiscal year 2013 projects still are not delineated. Now, we are told this is because this is an agreement that happens between the State Department and the Defense Department. But if they have not been delineated yet—the projects we funded 2 years ago are not completed—I really need to be reassured that come 2014 we do not once again have a situation where we are withdrawing our troops but we are leaving billions of dollars of contract work on the ground for infrastructure, particularly in light of what the needs are in this country.

I would look forward to hearing from you as soon as possible what the fiscal year 2013 projects are and on what basis they were decided, and is there any discussion about whether or not they are necessary. Sometimes there is a tendency to just keep doing it because we have been doing it, and I really think it is time for you all to do a gut check on COIN as it relates to nation building. I mean, we can call it other things, but let us be honest. We are trying to nation build in the middle of fighting. That is really hard. I do not want us to keep going forward without really doing an introspective look at how successful this part of the COIN strategy has been. I do not think anybody has, at least to point, shown me a proof point that that part of the COIN strategy can be chalked up as a success. I would look forward to any information that you or your team could give me on that.

Specifically I also want to talk about the security force facilities, and I want to know what our price tag is going forward, if you can

get it to me for the record. We know $11.7 billion has been spent to construct the ANSF facilities. That is almost $12 billion we have spent. We know that the SIGAR in October issued the report that said that the Afghan-led sustainment—they cannot afford these facilities. I know that we are going to have to give them money. I believe the figure for the first year is $800 million just to sustain and maintain these facilities.

What is the price tag going forward indefinitely to maintain and sustain these security facilities we have built for them? As I said before in these hearings, we built an army for them they cannot afford, and what is the price tag for the United States to sustain this for the next decade?

General DUNFORD. Senator, I would have to take that for the record.

Senator MCCASKILL. It is an important one for us to understand as we all are trying to figure out how we manage the money. I want to make sure that the American people know and that we know what we are going to be called upon to fund for them going forward from 2014 to maintain not just the personnel, which is a huge price tag, but the actual facilities themselves. If you would work on that for the record, and we would certainly like anybody on your team to visit with us about the October SIGAR report about the security facilities and what you intend to do in a leadership capacity to address the issues that they have raised.

General DUNFORD. I will do that, Senator.

[The information referred to follows:]

With regard to the Afghanistan Infrastructure Fund (AIF), each year, U.S. Forces-Afghanistan (USFOR–A) employs the structured interagency approval process in which the Regional Commands nominate a number of infrastructure projects to be funded by AIF. Only those projects that best meet our strategic objectives are approved. Approved projects are then ranked by importance and notified to Congress. Of the fiscal year 2011 or fiscal year 2012 projects that were notified to Congress, they all continue as planned in order to meet the strategic objectives. We hope to have the congressional notification package with the proposed fiscal year 2013 AIF projects delivered to Congress by the end of the year.

It is my understanding that during fiscal year 2012, ISAF and USFOR–A established specific guidance for commanders regarding how to best select projects that will mitigate the effects of reduced spending by focusing on key areas for growth, recommending project types with the greatest sustainable impact. Commanders focused on small businesses with growth potential that stimulated increased employment and additional procurement back into the economy.

Although Congress initially allocated USFOR–A $400 million in fiscal year 2012 for the Commander's Emergency Response Program (CERP), USFOR–A did not require all these funds and worked with the Army Budget Office to reallocate the balance of these funds. At end of fiscal year 2012 USFOR–A obligated $117.1 million for CERP. Only one significant project was cancelled, the Naghlu-Surobi Transmission Line Repair, a $4.6 million project. This project was cancelled before any money was obligated when the USFOR–A realized it could not be properly executed.

Less money was obligated in fiscal year 2012 that was originally budgeted for due to a conscious effort by commanders to force the Government of the Islamic Republic of Afghanistan to use their own budget process to provide urgent and essential services to the people of Afghanistan. Additionally, commanders were careful to ensure the sustainability of the projects they initiated. This cautious approach resulted in fewer projects than in previous years.

A review of all projects has helped to reduce the spending on key sectors that do not meet the commander's goals. If confirmed, I will continually monitor these accounts to ensure they are responsive to our mission requirements and proper oversight mechanisms are in place.

Senator MCCASKILL. Okay. Thank you for your service and I will look forward to visiting you in theater.

General DUNFORD. Thank you, Senator.

Chairman LEVIN. Thank you very much, Senator McCaskill.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you very much, General Dunford, for being here today and for taking on this assignment at what is a very challenging time both for the military and also as we look at the challenges still remaining before us in Afghanistan.

I want to just follow up a little bit on the issue that Senator McCaskill raised relative to the SIGAR. We had a brief conversation about this yesterday in my office. I wonder if you could just, first of all, outline how you think the SIGAR's work is going in Afghanistan and how you expect to continue to follow up as Commander working with the SIGAR in this capacity and then also commit, if you would, as you did yesterday to continuing to work closely to not only address the recommendations that are being made but to talk about how that work can go forward in a way that is cooperative.

General DUNFORD. Senator, thank you for that question.

Based on my discussions with General Allen and his staff, it is clear to me that they take the results of the SIGAR reports very seriously, and there is a continuous dialogue back and forth between the staff at ISAF and the Special Inspector General for Afghanistan Reconstruction.

As a result of some of the previous reports and as a result of some of the issues that have been raised with regard to corruption and with regard to contracts, they have changed the organizational construct at U.S. Central Command to provide oversight of these contracts. They have changed the organization within ISAF. General Allen has combined oversight of corruption with threat finance, with targeting, and so forth to bring together what were some cylinders of excellence into a holistic approach to deal with some of the issues highlighted by the SIGAR. I also know, most importantly, that Ambassador James Cunningham at our embassy in Kabul has taken this on and has an organization inside the embassy that provides oversight.

I would see this as a very important role for me, if I am confirmed, as a leader to be decisively engaged in the results of the SIGAR report, to take them seriously, and where necessary, to take remedial action.

Senator SHAHEEN. Thank you very much.

Major General Kenneth Dahl mentioned in an interview in the Wall Street Journal that the military has really learned a lot of lessons from the transition to a State Department-led mission in Iraq and that we are already working on preparing the change-over in Afghanistan.

As somebody who has spent significant time in Iraq, can you talk about what you think are the lessons that were learned from that experience and what we should be thinking about as we are moving forward with the transition in Afghanistan?

General DUNFORD. Senator, I can. I think one of the most important lessons that General Dahl referred to is there is a number of functions that have been performed by ISAF and USFOR–A over the past few years. In fact, there is in excess of 400 tasks that have

been performed by those 2 headquarters. One thing we learned in Iraq was we did not start early enough to transition those tasks or identify tasks that may no longer need to be done. It is very important that we work with the State Department, that we work with the Afghan Government, that we work with our international partners, nongovernmental organizations (NGO), as the case may be, to migrate those tasks to an appropriate place so we can sustain them through the transition in 2014. I am quite sure that is what General Dahl was talking about. I was encouraged by the discussions in that regard during my recent visit.

On the 29th of November this year here in Washington, DC, there will be a meeting between all the stakeholders specifically associated with that task migration to, again, identify where those tasks ought to be performed, what tasks may no longer be enduring. Having that construct in place well in advance of the transition in 2014 I think is quite important.

Senator SHAHEEN. When you say the "stakeholders" who is included in that group?

General DUNFORD. Senator, that will be Central Command, ISAF, USFOR–A. All of our coalition partners will be represented, as well as representatives from NGOs and the State Department, the U.S. Agency for International Development, and so forth. I imagine there will be some initial planning sessions to get it right, but I would expect a lot of energy and attention to be spent on this over the next 2 years.

Senator SHAHEEN. You raise an important point in talking about the various stakeholders because, obviously, this remains a coalition effort and making sure that we continue to keep our other partners, our European partners, engaged in this effort is very important. As somebody who chairs the European Affairs Subcommittee in Foreign Relations Committee looking at NATO's role and the continued support of the European countries for our effort in Afghanistan has been very important.

Can you talk about the other kinds of work that you see as part of your portfolio, if you take over this job in Afghanistan, in terms of working with our NATO partners to ensure their continued support for this mission?

General DUNFORD. Senator, I can. I would include in the important partners the most important partners, and those are our Afghan partners who will have the preponderance of responsibility for all this work that needs to be done over the next 2 years.

I think one of the first things that I need to do, if I am confirmed, is to go visit the capitals and listen to them and make sure I fully understand their plans both between now and 2014 and then what plans they may be willing to support post-2014. I think having good lines of communication back and forth between the capitals so they understand the progress that we are making in the campaign and that they are not surprised by decisions that may be made in the context of the campaign, that we engage their national leadership before those decisions are made because they are key stakeholders—obviously, they have young men and women in harm's way and they have a right to understand what decisions are being made that affect the folks that are there.

I think also as we conduct the campaign, which is first and foremost important, a piece of the campaign is obviously this transition plan. Working very closely with our NATO partners and how they will retrograde and redeploy in the context of the campaign is important. How will they get their equipment, how will they get their people home, and how will we do that in a way that maintains continuity in the campaign, momentum in the campaign, and at the same time meets our timeline. I think those are probably among the important aspects of the dialogue that needs to take place.

Senator SHAHEEN. Thank you very much.

Chairman LEVIN. Thank you, Senator Shaheen.

Senator Blumenthal.

Senator BLUMENTHAL. Thank you, Mr. Chairman.

I want to join my colleagues in thanking you, General Dunford, and your family for your service to our Nation, your extraordinary service over many decades and the service that you will be performing. I have every expectation that you will be confirmed. I guess that may be the bad news for you in some ways, but again your tremendous service to this country.

Many of the questions on my mind have been asked and answered, so I am not going to repeat them. But there is one area where I have been concerned—other members of the committee and I know that the Marine Corps and all of our Services—and that is the effort to counter the IEDs that I think now are the predominant or at least a major cause of casualties to our men and women in uniform in that theater. I wonder if you could suggest to the committee what additional steps, either in terms of equipment or efforts to work with Pakistan which is still the source of the ingredients that go into those IEDs can be taken and that you would contemplate taking in this new position.

General DUNFORD. Senator, thanks for that question, and the IED still remains the largest casualty producer in Afghanistan and an issue that clearly I need to be decisively engaged in, if I am confirmed in this position.

You alluded to Pakistan in your question and that absolutely is the number one area where we need to make some progress. The vast amount of materials for the IEDs do come from Pakistan.

I am encouraged by recent progress and development in our coordination at the border. I believe that, in part, that is a recognition of Pakistan that they also have a challenge due to the open borders and the threat moving back and forth from Afghanistan into Pakistan, as well as what has historically moved from Pakistan back to Afghanistan.

About 2 years ago, we established a tripartite framework to discuss border issues between Afghanistan, the coalition, and Pakistan. Within the next 2 weeks, we will sign the operating procedures associated with that tri-part agreement. But what I saw in my recent trip was that we have, in fact, at the three-star level had some successful discussions. There is a working group down at the one- and two-star level, but most importantly, down at the border coordination centers, we are now starting to see some development.

Pakistan has not built their border coordination centers that they are due to build as a result of that agreement that I referred to with the tri-part agreement, and so we look forward to doing that.

But I can assure you that if I am confirmed, a healthy dialogue, a consistent dialogue with Pakistan is going to be very important to address the border area. I think the border area is one of the key things we can do in addition to the other things that we have done as a result of Congress' generosity to address the IED threat, but that border area with Pakistan and coming up with a mutual framework to ensure that we limit the amount of materials coming in to build IEDs is very important.

Senator BLUMENTHAL. Are you satisfied that there is a commitment at your equivalent level in the Pakistani armed services to stopping the transfer of those bombmaking materials?

General DUNFORD. Senator, I cannot comment on the level of commitment from personal observation right now, so I will not do that. But I will tell you that I am not satisfied with the results, and that is really what is most important.

Senator BLUMENTHAL. I join you in that view, and I think other members of the committee and Congress would as well and hope that your persuasive efforts and your efforts to lead by example on this score are persuasive to the Pakistanis.

In terms of the drawdown of troops from Afghanistan, I hope that the remaining equipment that is necessary to detect and counter IEDs is kept in place as long as is necessary, in other words, that the equipment is not withdrawn. I assume that is part of the planning process?

General DUNFORD. Senator, it absolutely is.

Senator BLUMENTHAL. The kinds of new equipment that may be necessary to protect our troops from roadside bombs and IEDs—is that being provided? I am talking about new protective gear that can be worn. I understand that probably all now have that kind of protective gear, but the new iterations, the new models of equipment, protective gear, and other kinds of equipment is still being provided.

General DUNFORD. Senator, as long as we have young men and women in harm's way, we need to stay in front of the threat and continue to adapt. If I am confirmed, I can assure you that is exactly what we will do.

Senator BLUMENTHAL. Thank you.

I have one more area that I would like to cover and that is in terms of human trafficking. Senator Portman and I yesterday announced a caucus, the Senate Caucus to End Human Trafficking. There is an amendment that we have proposed to the national defense authorization bill that would provide new tools and penalties against use of trafficked labor by contractors who work for the Federal Government, in other words, use of taxpayer dollars on projects that involve slave labor. I think there is no other way to put it. I wonder if you have any thoughts regarding the oversight and prevention of human trafficking among U.S. contractors that you would carry out if you are confirmed for this position.

General DUNFORD. Senator, I have seen some of the initial reports on human trafficking. Obviously, they are of great concern, and so I understand why you would be introducing legislation in that regard. If I am confirmed, I will certainly do what I can to help mitigate that threat working very closely, obviously, with Ambassador Cunningham at the embassy in Kabul.

Senator BLUMENTHAL. Thank you.

Thank you very much, Mr. Chairman. That concludes my questions.

Chairman LEVIN. Thank you very much, Senator Blumenthal. I commend you on your human trafficking initiative.

Senator BLUMENTHAL. Thank you.

Chairman LEVIN. General, you have described progress. You have given us some cautious optimism, indeed, some real optimism about the ability to achieve our mission in Afghanistan. I have seen progress with my own eyes. I happen to share your assessment of the progress which has been made and the reasons that you give—or the evidence that you give for your conclusion. I think that evidence is very much present. Obviously, the challenges that you have described are also there.

But I do not think that our media has given an accurate overview of the situation in Afghanistan because I think basically there has been appropriate focus on problems, on shortfalls. There has been appropriate reporting on failures where they have taken place, but there has been inadequate reporting in my opinion on the progress which has been made in Afghanistan. I think our people probably have a more negative view of prospects in Afghanistan than the people of Afghanistan have, according to the opinion polls that we have seen about Afghan public opinion. If that is true, it is the product of a free press, and I am not ever going to complain about a free press in the United States.

But I think it is important that if your own views continue after you get there that you find ways to present the positives so that it is not such a concentration in our media on the negatives that will continue because it is going to be a government which will continue to have corruption. It is going to be a military, an Afghan military, which is going to continue to have shortfalls, particularly in the enablers but also in terms of people who will turn on their own and turn on us. That is going to continue hopefully at a significantly reduced level, but there will be those examples.

I hope that you would be aware of what is presented to our public. I do not want anything shaped. I am not suggesting, believe me, to anybody that you try to engage in propaganda because that is not what we are looking for. We are looking for just a balanced presentation of the pluses and minuses that exist, and I just do not think it has been accurate from what I have seen with my own eyes in terms of a balanced media presentation of the situation in Afghanistan. It is just better I think than the average American thinks it is, and I think that is in large measure because it is better than the cross section of media presentation in this country. I think you ought to just be aware of the importance that whatever the objective situation is in Afghanistan that it be fairly presented to our own people.

We very much appreciate your direct answers here today. We always appreciate the kind of testimony which you have given which is clear, which is direct. You have spoken some truth to power right here this morning, and frankly, that is always welcome and it better be welcome in a democratic government that we hear directly from people who testify in front of us, what their opinions are, and you have given us those this morning.

The objective now is to try to get your nomination, first of all, voted on by this committee, and I would hope that we could do that as soon as possible. I believe that the situation on the floor is going to be that we will have votes the day that we come back from whatever the Thanksgiving break is. I would hope that we could bring that up on that day and get this to the floor of the Senate so that we could have you in place, whatever the future might hold in terms of when the exact transition or the change of the guard is. I think it is currently planned for late January or early February—is that correct—if you are confirmed, that you would take over from General Allen?

General DUNFORD. Senator, my understanding is early February.

Chairman LEVIN. Okay. That is the current plan.

By the way, I share the positive comments about General Allen which have been made here this morning. There have been some statements made about his being a very terrific, fine marine. I am hoping that he can stay in that position until the planned date for his departure. But I also have seen firsthand his extreme competence and capability, and I also have confidence in him similar to what has been expressed by colleagues here this morning.

But the world being what it is, we never know what tomorrow brings, what the fates have in store for us. But as far as your confirmation is concerned, I am very confident you will be promptly, overwhelmingly, and hopefully unanimously confirmed. I see no reason that you would not be.

We give thanks to you and your wife, who is with you here this morning. We know how important families are. That has been expressed by, I think, all of us this morning, and we are sincere in that. I think spouses are aware of our sincerity because we try to reflect that view in our bill, in our legislation about the importance of families in various ways, including the health care that is provided for families. We hope we always reflect our rhetoric in our legislation.

With that, again with our thanks to you and your family, we will stand adjourned.

[Whereupon, at 12:15 p.m., the committee adjourned.]

[Prepared questions submitted to Gen. Joseph F. Dunford, Jr., USMC, by Chairman Levin prior to the hearing with answers supplied follow:]

## QUESTIONS AND RESPONSES

### DEFENSE REFORMS

*Question.* The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and the chain of command by clearly delineating the combatant commanders' responsibilities and authorities and the role of the Chairman of the Joint Chiefs of Staff. These reforms have also improved cooperation between the Services and the combatant commanders, among other things, in joint training and education and in the execution of military operations.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Answer. The past 11 years of war have demonstrated the importance of Goldwater-Nichols. It has driven the Services toward greater effectiveness and interoperability, which enables our Joint Force to rapidly deploy and operate in remote and austere environments like Afghanistan. Further, this has helped us improve interoperability within the coalition. I don't see the need for modifications at this time.

*Question.* If so, what areas do you believe might be appropriate to address in these modifications?

Answer. I do not see the need for modifications at this time.

DUTIES

*Question.* What is your understanding of the duties and functions of the Commander, North Atlantic Treaty Organization (NATO) International Security Assistance Force (ISAF)?

Answer. The Commander of ISAF (COMISAF) is the senior NATO uniformed officer in Afghanistan. He is the in-theatre operational commander exercising operational control of all ISAF forces in Afghanistan employing assigned forces in the conduct of population-centric counterinsurgency operations; enabling and evaluating an expanded and effective Afghan National Security Forces (ANSF) capable of fighting their own counterinsurgency; and providing support to governance and development efforts to protect the Afghan people and to provide a secure environment.

ISAF is a NATO-directed operation conducted under U.N. Security Council Resolution (UNSCR) 1386 (2001), which authorizes the establishment of ISAF to assist the Afghan Government in maintaining security in Kabul and surrounding areas and to take all necessary measures to fulfill this mandate. Following a U.N. and NATO/North Atlantic Council agreement, NATO assumed strategic command of ISAF on 11 August 2003 under the authority of UNSCR 1386 and successor UNSCRs. Subsequently, UNSCR 1510 (2003) geographically expanded the ISAF mandate established in UNSCR 1386 to cover all of Afghanistan.

*Question.* What is your understanding of the duties and functions of the Commander, U.S. Forces Afghanistan (USFOR–A) and how do those duties and functions relate to those of the Commander, NATO ISAF?

Answer. The Commander of USFOR–A is the senior U.S. officer in Afghanistan with duties distinct from his duties as Commander, ISAF. The USFOR–A Commander exercises National Command Element and National Support Element authorities and responsibilities for ensuring that U.S. forces have the guidance, equipment, and funding they need to conduct their missions. He ensures unity of effort among all U.S. forces including those under the ISAF command and those forces not under ISAF command, such as those U.S. forces conducting U.S. detention operations and U.S. counterterrorism operations.

COMISAF employs the forces that troop-contributing nations provide to ISAF of which the United States remains the largest troop-contributing nation. The Commander, USFOR–A, directs and oversees the United States' military contributions within ISAF while COMISAF duties include ensuring the operations of all troop-contributing nations, including those of U.S. forces, are coordinated.

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

Answer. I have had the opportunity to work very closely on Afghanistan in several of my assignments as a general officer to include duty as the Vice Director of Operation on the Joint Staff and as the Commander, Marine Forces Central Command. In the latter assignment, I had operational command of all Marine forces serving in Iraq and Afghanistan. As the Commander, Marine Forces Central Command I also had responsibility for the draw down in Iraq and the buildup of Marine forces in Afghanistan. Since 2008, I have traveled to Afghanistan and Pakistan on multiple occasions. In my current assignment and in a previous assignment as the Marine Corps Deputy Commandant for Operations, I frequently represented the Commandant in Tank sessions where our Afghanistan-Pakistan strategy and related issues have been addressed and I contributed to the development of best military advice to the Secretary of Defense and the President. I also studied the region in graduate school and dedicated a great deal of time to self-study. As a result, I have experience and an understanding of the region that will be useful if I'm confirmed as COMISAF/COMUSFOR–A.

Finally, I believe my experience as a commander and general officer in Iraq has prepared me to lead our young men and women in Afghanistan and provided me with an understanding of the nature of counterinsurgency operations and the associated challenges.

*Question.* Do you believe that there are any steps that you need to take to enhance your expertise to perform the duties of the Commander, NATO ISAF, and/or Commander, USFOR–A?

Answer. A professional military officer should never stop listening or learning. If confirmed, I will continue to deepen my knowledge of the strategic environment and seek input from a wide range of military and civilian experts. If confirmed and before taking command, I will also spend a great deal of time visiting our forces on

the ground and leaders from across NATO to enhance my understanding of the fight and to assist me in refining my personal framing of the problem.

RELATIONSHIPS

*Question.* Please describe your understanding of the relationship of the Commander, NATO ISAF/Commander, USFOR–A, to the following:

The Secretary of Defense.

Answer. The USFOR–A Commander reports to the U.S. Central Command (CENTCOM) Commander, who, in turn, reports directly to the Secretary of Defense. This reporting relationship is prescribed in title 10 U.S.C. section 164(d)(1). COMISAF does not have a formal relationship with the Secretary of Defense because COMISAF reports to the NATO chain of command through the Commander of Joint Forces Command-Brunssum, who reports to Supreme Allied Commander Europe (SACEUR).

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

Answer. The USFOR–A Commander does not have a formal command relationship with the Chairman of the Joint Chiefs of Staff but coordinates with him through the CENTCOM Commander on a regular basis. The Chairman is the principal military advisor to the President, the Secretary of Defense, and the National Security Council and while he is the Nation's senior military officer, he is not in the chain of command. The USFOR–A Commander sends his advice and opinions on military operations to the Chairman through the CENTCOM Commander.

*Question.* Commander, U.S. Central Command.

Answer. The Commander, USFOR–A works very closely with the Commander, CENTCOM on all aspects of U.S. military operations in Afghanistan. By law, the Commander, USFOR–A reports directly to the Commander, CENTCOM. The Commander, CENTCOM exercises authoritative direction and control over all U.S. Forces in the CENTCOM area of responsibility, which includes all U.S. Forces in Afghanistan. The Commander, CENTCOM provides authoritative direction over all aspects of military operations, joint training, and logistics. He has delegated National Command Element and National Support Element authority and responsibilities to the Commander, USFOR–A.

*Question.* NATO Supreme Allied Commander, Europe (SACEUR).

Answer. NATO SACEUR, is the NATO strategic-level commander of all NATO forces, including those assigned to the NATO mission in Afghanistan. He provides the Commander of Joint Forces Command-Brunssum (JFC–B) with strategic guidance and direction. JFC–B is NATO's operational level command responsible for the mission in Afghanistan. In short, SACEUR provides strategic direction and campaign objectives and the Commander of JFC–B directs COMISAF to attain these objectives and perform key military and supporting tasks, as mandated by the North Atlantic Council (NAC).

*Question.* Commander, ISAF Joint Command (IJC).

Answer. IJC is ISAF's operational-level command and is subordinate to HQ ISAF. As such, the commander of IJC, reports to COMISAF. The IJC Commander is also dual-hatted as the Deputy Commander of USFOR–A, and retains certain U.S. command authorities. IJC was established in November 2009.

*Question.* Commander, NATO Training Mission—Afghanistan (NTM–A)/Commander, Combined Security Transition Command Afghanistan (CSTC–A).

Answer. Commander of NTM–A/CSTC–A reports to COMISAF/COMUSFOR–A. NTM–A/CSTC–A is a subordinate HQ to both HQ ISAF and HQ USFOR–A. The CSTC–A element retains its U.S.-only character primarily for funding and administrative authorities, and responds to the U.S. chain of command. The NAC established NTM–A in April 2009, and it was merged into CSTC–A in March 2010 under a dual-hatted commander.

*Question.* U.S. Ambassador to Afghanistan.

Answer. The USFOR–A Commander provides operational assistance and advice, to include U.S. military views and recommendations, to the U.S. Ambassador. He maintains a close working relationship with the Ambassador to ensure that military and civilian efforts are synchronized and mutually supporting. This is particularly important in the Rule of Law arena where the Department of State has the lead for the U.S. Government. The Commander, Combined Joint-Interagency Task Force 435 (who reports directly to the USFOR–A Commander), provides support to the Coordinating Director for Rule of Law and Law Enforcement, who reports directly to the U.S. Ambassador.

*Question.* U.S. Ambassador to Pakistan.

Answer. The USFOR–A Commander maintains open communications channels and a close relationship with the U.S. Ambassador to Pakistan to ensure ongoing

diplomatic and assistance efforts in Pakistan are supportive of military and civilian objectives in Afghanistan. He is particularly interested in the security assistance program implemented by the Office of the Defense Representative-Pakistan, who reports directly to the CENTCOM Commander but works under authority of the U.S. Ambassador to build partner capacity in the Pakistan military's ongoing counter-insurgency efforts. The Embassy is a key partner for advancing our border coordination efforts with the Pakistan military and the Afghan National Security Forces. The U.S. Embassy in Islamabad was also critical to USFOR–A efforts to reopen the Ground Lines of Communications through Pakistan which supply our forces.

*Question.* U.S. Special Representative for Afghanistan and Pakistan.

Answer. The USFOR–A Commander provides operational assistance and advice, to include U.S. military views and recommendations, to the U.S. Special Representative for Afghanistan and Pakistan. He maintains a close working relationship with the Special Representative to ensure that military and civilian efforts are synchronized and mutually supporting. This relationship is particularly important to the ongoing security and political transition, as well as reintegration and reconciliation efforts, which will facilitate an inclusive Afghan political solution to the conflict in Afghanistan.

*Question.* The Secretary General of NATO.

Answer. The NATO Secretary General chairs the North Atlantic Council, the highest political authority in NATO. The North Atlantic Council is responsible for the overall decisions and direction of NATO policy and operations and is comprised of ambassador-level representatives of all NATO members, including the United States. The Council is advised on military matters and the conduct of operations by the Military Committee, which is also composed of senior military representatives from each member state. The North Atlantic Council, under the Secretary General's leadership, provides overall direction and guidance to the military chain of command. In practical terms, the SACEUR leads all NATO military operations and advises NATO's Military Committee. Thus, in the case of the ISAF mission, the Secretary General, following consultations and decisions by the North Atlantic Council, provides guidance and direction to SACEUR through the Military Committee, and the SACEUR communicates those directives and guidance through NATO's military chain of command. COMISAF and the Secretary General confer and consult regularly, including formal updates to the Secretary General and the North Atlantic Council on the progress of military operations in Afghanistan.

*Question.* NATO Senior Civilian Representative for Afghanistan.

Answer. The NATO Senior Civilian Representative (SCR) for Afghanistan is the civilian counterpart to COMISAF. As the NATO Secretary General's direct representative in Afghanistan, the SCR is charged with carrying forward the political aspects of NATO's engagement in Afghanistan. Although there is no formal command relationship, the SCR and COMISAF work in close concert and with full transparency in accordance with the North Atlantic Council-approved Terms of Reference for the SCR and SACEUR as well as JFC–B's guidance for COMISAF. In short, this cooperative relationship is critical to underwrite NATO's operational military and political engagement in Afghanistan and can help to improve cooperation between ISAF and international civilian agencies in Afghanistan.

*Question.* United Nations Special Representative in Afghanistan.

Answer. U.N. Special Representative of the Secretary-General (SRSG) for Afghanistan is an important leader in the international community's efforts in Afghanistan. While no command relationship exists between COMISAF and the U.N. SRSG, the ISAF mission was authorized by UNSCR to assist the Afghan Government in the establishment of a secure and stable environment. Similarly, the U.N. SRSG has a mandate to lead the U.N. Assistance Mission in Afghanistan (UNAMA) supporting the Afghan Government in its efforts to improve critical areas, including security, governance, economic development, and regional cooperation, as well as to support the full implementation of mutual commitments made on these issues at the London Conference in January 2010 and the subsequent Kabul Conference in July 2010. The SACEUR Operations Plan states that COMISAF is expected to work in close coordination with both the NATO SCR and the U.N. SRSG. These partnerships support efforts to work with the Afghan Government to ensure progress towards the goal of a self-sufficient Afghanistan.

AFGHANISTAN TRANSITION AND MAJOR CHALLENGES

*Question.* At the NATO Summit in Chicago in May, NATO members committed to steps to promote a stable and secure Afghanistan and to the goal of "preventing Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region and the world." NATO members also reaffirmed their support

for the plan, initially endorsed at the 2010 Lisbon NATO Summit, to transition full security responsibility from ISAF to the Afghan National Security Forces (ANSF) by the end of 2014.

Do you agree with the objectives and transition plan for the ISAF mission endorsed at the NATO Chicago Summit?

Answer. Yes, I do. At the Chicago Summit, NATO allies and coalition partners reaffirmed the Lisbon framework for transition and agreed to an interim milestone in mid-2013 where, upon the initiation of the final tranche, ANSF would assume the lead for combat operations across the country and ISAF's primary mission would shift to training, advising, and assisting the ANSF. They pledged roughly $3.6 billion annually for 3 years beginning in 2015 toward a sustainable ANSF. This commitment of long-term support will help solidify and sustain the security gains achieved over the previous 13 years.

*Question.* What are the major challenges and problems you foresee, if confirmed as the next Commander, NATO ISAF/Commander, USFOR–A, in the implementation of the transition plan in Afghanistan?

Answer. If confirmed, I believe there will be three key challenges in implementing this plan. First is defining how and when provinces will complete the transition process and how ISAF will operate in those areas within the parameters of the Military Technical Agreement. In addition to security, ensuring the irreversibility of the transition process also requires sufficient governance, development, and rule of law. A second challenge is the relationship between security and non-security ministries. Cooperation is needed to ensure continued progress in governance, development, and rule of law reinforces the security transition. Third is ensuring the appropriate disposition of ANSF forces around the country and managing the Afghan Government's desire to assume responsibility for all ISAF bases.

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

Answer. If confirmed, I will work with the U.S. Government, NATO and Afghan counterparts to develop a mutually-agreed upon framework for completing the transition process. I will continue to work with the security ministers and other key leaders in aligning the ANSF's disposition with strategic priorities and operational requirements and in carrying out the decisions of the joint ISAF–Afghan basing board.

SECURITY SITUATION IN AFGHANISTAN

*Question.* What is your assessment of the security situation in Afghanistan, particularly in southern and eastern Afghanistan, and of the nature, size, and scope of the insurgency?

Answer. Although the insurgency remains resilient and determined, coalition and ANSF operations have degraded insurgent capabilities and freedom of movement in much of the country. The insurgency failed to meet its established goals for the 2012 fighting season and enemy initiated attacks have largely been driven out of key population centers, a central aim of the campaign. Additionally, security conditions remain relatively stable in areas that have transitioned and, on average, show a decrease in violence. Insurgent groups are most active along the border with Pakistan. The Taliban remains vested in southern Afghanistan, the Pashtun's ideological homeland, and enjoys the support of the Haqqani Network which is focused on the east of the country and Kabul. The insurgency continues to use the same tactics to preserve a diminishing force structure: improvised explosive devices; high-profile attacks; insider attacks; assassinations of influential powerbrokers, tribal elders, ANSF, and Afghan officials; and the avoidance of larger engagements.

PROCESS OF TRANSITIONING SECURITY RESPONSIBILITY TO ANSF

*Question.* In May 2012, President Karzai announced the third round of areas designated for transition to having Afghan forces in the lead for security, which included some areas that remain volatile. ISAF has said that two more rounds of transition will occur between now and mid-2013, at which point Afghan security forces will have lead responsibility for security throughout Afghanistan, though coalition forces will continue to provide substantial support to Afghan forces through 2014.

Do you support ISAF's plans for transitioning to an Afghan security lead throughout Afghanistan by mid-2013 with coalition forces continuing to provide support to the ANSF through 2014?

Answer. Yes. I support plans for ANSF assuming the lead for security across all of Afghanistan by mid-2013, as agreed to at the Chicago NATO Summit in May 2012. This process of transferring lead security authority to ANSF from ISAF is at the heart of transition. This transfer is done over the course of five sequential

tranches of geographic areas in order to optimize the chances of success, and this milestone in the latter part of the summer of 2013, coincides with the implementation of the final transition tranche. Supported by ISAF partners, advisors, and enablers, the ANSF will have 18 months to fully develop effective forces before full security responsibility is handed over to the Afghan Government at the end of 2014. During this time, ISAF will maintain sufficient combat power to respond and conduct operations alongside the ANSF.

*Question.* What is your assessment of the capacity and performance of the Afghan security forces assuming the lead for security in areas designated for transition, including in contested areas?

Answer. My assessment of the ANSF is that they are an increasingly capable force which has expanded security gains in many transitioning areas. Some of Afghanistan's more challenging districts entered transition in Tranche 3 to better manage associated risk with available forces, and the ANSF has performed well in these areas. If confirmed I will be able to make a more detailed assessment of their capacity and performance, which will be one of my first actions.

*Question.* What do you view as the most significant challenges to the Afghan security forces in assuming lead security responsibilities through 2014?

Answer. Adapting to operations without ISAF enablers will be a major challenge as ISAF forces phase out of the battle space over time. Another challenge for the ANSF in ensuring the irreversibility of their hard-fought gains in security will be that governance and development lags far behind ANSF and Government of the Islamic Republic of Afghanistan's (GIRoA) security capacity. From an operational perspective, effective coordination between the Afghan National Army (ANA) and Afghan National Police (ANP) will continue to be a challenge in transitioning areas.

BUILDING AND SUSTAINING THE AFGHAN NATIONAL SECURITY FORCES

*Question.* The ANSF are expected to reach their target end strength of 352,000 in the coming months, consisting of an ANA of 195,000 and ANP of 157,000.

In your view, are the target end strength levels for the ANA and ANP sufficient to provide security and stability in Afghanistan?

Answer. Yes. the target end-strength levels for ANA and ANP are sufficient to provide security and stability in Afghanistan which is defined as ANSF's ability to manage violence at an acceptable level to Afghans. The ANSF target goals were set based on U.S. and NATO objectives in Afghanistan, and are evaluated regularly against those objectives. Based on current assessments I have reviewed, the ANSF will require coalition enablers in fixed- and rotary-wing aviation, engineering, counter IED, fires, intelligence, surveillance, and reconnaissance (ISR), intelligence, and casualty evacuation through 2014.

*Question.* What in your view are the greatest challenges to building the capacity of the ANSF to assume the security lead?

Answer. Based on my initial assessment, there are five key challenges to improving the ANSF's ability to assume responsibility for Afghanistan's security: leadership, logistics, counter-IED, attrition, and literacy. The current ANSF logistics and maintenance systems function, but with some challenges such as a lack of trained logisticians and the slowness of the Ministry of Defense supply request process. Progress in manning, training, and equipping Explosive Ordnance Disposal (EOD) and Route Clearance units has been steady but uneven due to differing security conditions across the nation. Afghan leadership is working to better implement an operational rotation cycle for the employment of units, enforcement of leave policies, timely payment of salaries, the possibility to learn reading and writing, and improve living conditions to help reduce the attrition rate. Finally, literacy continues to be a challenge in professionalizing and training the Afghan forces. If confirmed, I will focus ISAF's efforts towards these challenges, building on the current signs of progress.

*Question.* A key component of efforts to build the capacity of Afghan security forces is partnering ANSF units together with ISAF units in the field.

What is your understanding and assessment of the manning, organization, operations, and effectiveness of U.S. forces partnering with the ANA and ANP?

Answer. Our U.S. forces serving in Afghanistan have done a remarkable job partnering with their Afghan counterparts. Within the Security Force Assistance construct, partnered operations are a necessary and natural step to ensure an Afghan unit is ready to operate and progress with an advisor team. Our partnering and advising operations up to this point have been quite effective in getting ANSF units to an initial operating capability and this new construct will enable improved, and in some cases, accelerated development of ANSF capabilities. If confirmed, I will conduct a thorough assessment on this essential aspect of our strategy.

*Question.* What is your understanding and assessment, if any, of the role that smaller numbers of U.S. or coalition forces will play in providing Afghan forces assistance with operational integration or providing key enablers, such as aviation, intelligence, logistics, or fire support?

Answer. The Security Force Assistance model provides select enablers to the ANSF, especially the Afghan Air Force. The use of coalition enablers will be based predominately on the mission needs of our advisory teams. For the next 2 years, ISAF will evaluate ANSF readiness, training, and fielding, including the possibility of accelerating the training and fielding of ANSF enabler capabilities. We will need to revisit the concept of enablers regularly during that period of time to understand the need to adjust risk mitigation, or more specifically, enablers. If confirmed, this is something I will closely monitor and ensure we continue to make steady progress toward our transition goals.

*Question.* The 352,000 end strength for the ANSF has been called a surge force. At the NATO Chicago Summit in May, ISAF participating countries called for any reductions in the pace and size of the ANSF after 2014 to be "conditions-based". The ISAF participating countries also discussed a "preliminary model" for the future size of the ANSF of 228,500, with an estimated annual cost of $4.1 billion, which would be subject to regular review in light of developments in the security situation.

Do you agree that any reductions in the ANSF post-2014 from the 352,000 level need to be based on the security conditions in Afghanistan at the time the reductions would occur?

Answer. Yes. The balance between security, long-term stability and development inform force structure projections, and the operational environment and the nature of the insurgency add immediate context. Coalition advisors will work with the ANSF and the Afghan Government to develop a managed force reduction path which will be determined by the situation in Afghanistan. The results of Afghan operations between 2014 and 2016 will determine the environment the ANSF will face as they reduce their force structure. Ultimately, governance will determine if ANSF security gains are sustained long term.

*Question.* What is your understanding of the basis for the "preliminary model" of a future ANSF of 228,500?

Answer. In developing the ANSF Plan of Record (APoR), the ANSF Objective Force of 228,500 was based primarily on ISAF's assessment of the potential threat environment in 2017 taking into consideration what size force is sustainable and affordable for Afghanistan, as funding from the international community reduces. The Center for Army Analysis wargamed different ANSF structures in varying threat environments and concluded that a 228,500 offered the best probability of success.

*Question.* In your view, what assumptions regarding the overall security environment in Afghanistan underlie the "preliminary model" of a future ANSF of 228,500?

Answer. There were several planning assumptions for the APoR's preliminary model for the ANSF Objective Force in 2017. One assumption was that NATO and Afghan goals would remain generally congruent regarding the denial of terrorist safe havens in Afghanistan. Another important factor was that ISAF assumed international funding contributions will meet the $4.1 billion pledge established at the Chicago Summit, and that this funding would be sufficient for Afghanistan to maintain the force. A third important assumption was that GIRoA and the ANSF would continue to face threats emanating from external regional actors seeking to expand their influence and undermine GIRoA as well as internal threats from a resilient insurgency. It was further assumed that those threats would not detract from the ANSF's ability to preserve Afghanistan's sovereignty and territorial integrity. The collective assessment, validated through modeling, was that 228,500 was the proper force structure.

*Question.* If confirmed, do you agree to conduct a review of the modeling for future ANSF force levels to assess what size and capabilities are appropriate to address security conditions in Afghanistan post-2014?

Answer. If confirmed, I will continue the process of assessing future ANSF force levels to determine what size and capabilities are appropriate to address evolving security conditions in Afghanistan. Both conditions on the ground and the assumptions used in the initial APoR modeling will change over time and should be reviewed, in partnership with GIRoA, to ensure the success of the mission and the success of the ANSF post-2014.

DRAW DOWN OF U.S. FORCES IN AFGHANISTAN

*Question.* In June 2011, President Obama announced his decision to draw down the 33,000 U.S. surge force in Afghanistan so that by the summer of 2012 U.S. forces will be at a level of 68,000. The President also announced that after the re-

duction of surge forces, U.S. forces in Afghanistan would continue to draw down "at a steady pace" through 2014. General Allen has said that once the 68,000 U.S. troop level is reached at the end of September, he intends to assess the situation on the ground in Afghanistan and provide the President his recommendation for future U.S. troop levels in Afghanistan.

Do you support the President's decision to draw down U.S. forces in Afghanistan to a level of 68,000 by the end of September?

Answer. Yes, I support the President's decision and the reasoning behind that decision to recover 33,000 U.S. surge forces by October 2012. The purpose of the surge was to reverse the Taliban's momentum and increase the size and capability of the ANSF. The surge accomplished these objectives and created the conditions to initiate the process of transition.

*Question.* Do you agree that following the recovery of the 33,000 U.S. surge force in Afghanistan, further reductions in U.S. forces levels should continue "at a steady pace" through 2014?

Answer. I agree that there will be further troop reductions through 2014 but the pace of withdrawal over the next 25 months will depend on several variables, including progress of the campaign, the state of the insurgency, and the readiness of the ANSF to assume full security leadership and responsibility to the Afghan Government by the end of 2014. Decisions on the pace and magnitude of further troop reductions will be made by the President and in accordance with the ISAF mandate which ends on December 31, 2014. If confirmed, I will continuously monitor and assess such elements and advise the chain of command accordingly.

*Question.* To what extent, in your view, should further reductions beyond the 68,000 U.S. troop-level in Afghanistan be based on actual security conditions "on the ground" there?

Answer. An assessment of the security conditions on the ground is one of several factors that should be considered as part of a strategic conversation on troop requirements. Other factors include the progress of the campaign, the state of the insurgency, and the readiness of the ANSF to assume full security leadership and the transition of responsibility to the Afghan Government by the end of 2014.

POST-2014 U.S.-AFGHANISTAN STRATEGIC PARTNERSHIP

*Question.* In May, President Obama and President Karzai signed the U.S.-Afghanistan Enduring Strategic Partnership Agreement, which sets out the mutual objectives and goals for a post-2014 bilateral relationship, including on long-term security issues. The Agreement provides for a continuing U.S. military presence in Afghanistan through 2014 and beyond, as may be agreed in a Bilateral Security Agreement (BSA) to be negotiated.

In your view, what should be the primary mission or missions of U.S. forces in Afghanistan after 2014?

Answer. In my view our overall objective in Afghanistan after 2014 will be to sustain our hard-won security gains after 2014 so that Afghanistan never again becomes a safe haven for terrorists. To accomplish this objective, the primary missions of the U.S. military in Afghanistan should be to: (1) train, advise, and assist the ANSF; (2) provide support to civilian agencies, and (3) conduct counterterrorism operations. This mission set will include force protection for our brave young men and women and, as available, the provision of in extremis support for our Afghan forces. The training, advisory and assistance mission is largely in line with those of our NATO partners; in October 2012, the NATO Defense Ministerial endorsed the mandate for the post-2014, NATO-led International Training, Advisory, and Assistance Mission.

*Question.* What are the key issues that need to be addressed as part of the negotiation and conclusion of a BSA?

Answer. The Strategic Partnership Agreement negotiated last spring included the provisions for: continued U.S. access to, and use of, Afghan facilities for the purposes of countering terrorism; continuing to train the Afghan National Security Forces; and other mutually agreed activities to advance shared security interests. The BSA should provide a foundation for enduring defense cooperation between our two countries. The key issues that need to be addressed in the conclusion of the BSA should include the nature and scope of the future presence and operational authorities of U.S. forces in Afghanistan; access to and use of Afghan facilities by U.S. forces beyond 2014; and, securing adequate status protections for U.S. Department of Defense (DOD) military and civilian personnel in Afghanistan.

INSIDER THREAT

*Question.* Recently there has been an increase in the number of so-called "green-on-blue" incidents in which individuals in Afghan uniform have attacked U.S. or coalition soldiers. The rising number of insider attacks has led U.S. and Afghan military leaders to order a number of precautions against such insider threats, including expanding Afghan counterintelligence efforts to identify possible Taliban infiltrators, increasing cultural sensitivity training, and expanding the "Guardian Angel" program to protect against the insider threat in meetings between coalition and Afghan forces.

In your view what are the causes of the recent spike in green-on-blue attacks?

Answer. Insider attacks are an insurgent tactic to create a seam between ISAF and the ANSF, sowing mistrust between partners and undermining domestic support for the campaign. Because attackers are often killed during an incident, it is difficult to fully assess the motivations behind insider attacks (sometimes called green-on-blue). We know that insurgents use infiltration, impersonation, and co-option as a means to commit an insider attack, and they seek to exploit post-traumatic stress, interpersonal disputes and extremist views through propaganda and messaging. Even though the number of insider attacks is relatively small, each is tragic. I understand the strategic implications of each one of these attacks, and if confirmed, I will personally engage in mitigating the risks of insider attacks and properly responding to each incident.

*Question.* What is your assessment of the measures that have been taken by ISAF and Afghan leaders to address the insider threat?

Answer. Because no single definitive countermeasure can prevent insider attacks, ISAF and the ANSF have introduced a program of countermeasures which, when applied collectively, can reduce the threat posed by insider attacks. These measures include strengthening vetting and screening processes for new recruits and those returning from leave; increasing the number and training for counterintelligence agents; and enhancing force protection for ISAF troops operating in small units or in remote areas. Insider attacks have declined substantially providing an early indication that countermeasures are working, but it will take time to see the full effect of these countermeasures. I am encouraged by the joint, integrated ISAF–ANSF approach and level of the Afghan Government's commitment to reducing this mutual threat. For example, ISAF and the ANSF established the three-star Insider Threat Action Group, which they co-chair, and they formed joint assessment teams to study incidents and identify lessons and required actions for the future.

*Question.* If confirmed, what additional steps, if any, would you recommend to address this threat?

Answer. If confirmed, I will continue to make countering this threat a top priority. I will continuously monitor and assess the nature of insider threats and potential vulnerabilities and ensure ISAF is properly resourced to counter this threat, particularly as ISAF's organizational profile shifts to a security force assistance model. We are not alone in suffering the effects of insider attacks; our Afghan partners have also suffered considerably from insider attacks. Therefore, I would continue to strengthen and leverage our partnership with the Afghan Government in implementing a comprehensive, combined, and integrated approach.

*Question.* What is your assessment of the impact of these green-on-blue attacks on the level of trust between coalition and Afghan forces?

Answer. While the recent rise in insider attacks continues to be an area of significant concern for coalition and Afghan forces, I do not believe it has weakened the bonds between our forces, which remain strong through years of partnership and shared adversity in combat against a common enemy. Furthermore, our forces understand that insider attacks are an insurgent tactic employed to create a seam between ISAF and the ANSF, sowing mistrust between partners and undermining domestic support for the campaign. If confirmed, I will conduct a thorough assessment of the impact of insider attacks on our forces and our partnering strategy.

*Question.* As a result of the insider threat, do you see a need to reconsider our transition plans for embedding small teams of U.S. military personnel with Afghan military units as part of the transition to an Afghan security lead?

Answer. At this time, I believe that the Security Force Assistance model of embedding small teams of U.S. military personnel with Afghan military units continues to provide the best and most effective means of achieving our campaign objectives. Security Force Assistance shifts the ISAF main effort from partnering and combat to training, advising, and assisting the ANSF at the tactical and operational levels until they are able to conduct operations independently. These teams are not uniquely vulnerable to insider threats, and in fact, may be more secure—because of their close proximity to their Afghan partners they develop closer relationships

to their partners. However, if confirmed, I will continuously evaluate the organizational assumptions, operational requirements, and potential vulnerabilities of these teams and their basing facilities to determine if the Security Assistance Force model is still valid and ensure the correct force and protective posture is delivered.

*Question.* These insider attacks have to date claimed the lives of 53 NATO troops and wounded at least 80 others.

What is your assessment of the impact of these insider attacks on morale among U.S. and allied forces in theater?

Answer. Each U.S. and coalition death at the hands of an insider attacker is tragic, and if confirmed, I will conduct a thorough assessment of the impact of insider attacks on our forces and our partnering strategy. At this time, I do not believe these attacks have had the longer-term detrimental effect on morale the insurgents desire. Our dedicated, professional service men and women continue to have a sense of mission accomplishment, and they understand the importance of their endeavors to the future of Afghanistan and to the security of the United States.

SPECIAL OPERATIONS FORCES IN AFGHANISTAN

*Question.* In April, the United States and Afghanistan signed a Memorandum of Understanding (MOU) on the "Afghanization" of direct action counterterrorism missions in Afghanistan, the so-called night raids. The MOU reflects the shared intention of having Afghan security forces in the lead in the conduct of night raids, with U.S. forces in a support role.

In your view, how important is it for the success of the Afghan mission to have Afghan security forces taking the lead on night raids?

Answer. It is my view that Afghan security forces must be in the lead on night raids. Historically, indigenous forces defeat insurgencies; this is no different. Night operations—all of which are 100 percent partnered with the ANSF—provide our partnered teams an unmatched operational advantage. The long-term success of the mission in Afghanistan depends primarily on institutional capacity; however, these partnered night operations provide the ANSF the training and experience required to eventually conduct unilateral operations. The development of the ANA Special Operations Command remains a critical component of the overall force structure and strategy to sustain the transition to Afghan security lead.

*Question.* What is your assessment of the progress on the Afghanization of direct action counterterrorism missions in Afghanistan? What additional steps, if any, would you recommend to improve this process?

Answer. In addition to force growth, the ANSF SOF community made significant progress in operational effectiveness. The independence and competency of Afghan special military and police units continues to grow—100 percent of ANA Special Operation Forces missions are Afghan led, and approximately 60 percent of Provincial Response Company (PRCs) police missions are Afghan led. If confirmed, I will seek to sustain and expand their progress by supporting the development of key indigenous capabilities such as intelligence collection and analysis capacities, air mobility capabilities, and an independent logistical architecture, which are important for operational autonomy. In addition, mechanisms to initiate, support, and sustain operations need further development to strengthen existing ground tactical capacity.

*Question.* As U.S. forces draw down in Afghanistan, what changes, if any, do you foresee in the role of Special Operations Forces (SOF) in Afghanistan?

Answer. It is my view that SOF will continue to play a vital role in Afghanistan by disrupting insurgent networks, building capable Afghan SOF, fostering stability through Village Stability Operations (VSO), and advising and training the ANSF. Their efforts mitigate operational risk associated with a drawdown of forces

*Question.* Recently, a new command, the Special Operations Joint Task Force-Afghanistan (SOJTF–A), has been established to improve coordination among U.S., coalition, and Afghan special forces.

Do you believe this new command structure will unify the efforts of the various SOFs in Afghanistan?

Answer. Absolutely, and from what I understand, it already has. I believe the recent establishment of NATO Special Operations Component Command (NSOCC)-Afghanistan and the SOJTF–A into a combined organizational structure provides a robust, properly sized and structured headquarters that avoids duplication and makes the best use of available funding, manpower, and infrastructure. The new command structure has already begun to realize organizational efficiencies and is helping to link various Afghan SOF elements for the first time. Afghan Ministry of Defense (MOD) and Ministry of Interior (MOI) SOF elements are beginning to operate together in integrated and mutually supporting operations, a necessity for ANSF to assume full responsibility for security responsibility.

*Question.* How does this new command structure impact the ability of U.S. SOF to partner effectively with the Afghan Special Forces?

Answer. The establishment of the new NSOCC/SOJTF–A command structure enhances partner development by fostering the establishment of common training objectives, standards and methods. Under this structure, best practices from one element can be applied to instructional methodologies for another. This command structure also leverages the full range of capabilities that the coalition SOF community offers. Additionally, conventional ISAF ANSF commanders benefit from this concentrated support.

*Question.* Why is a new command structure for SOF necessary now after close to 11 years of war in Afghanistan?

Answer. The establishment of the new SOF command structure was a necessary and natural step toward improving operational efficiency and effectiveness based on current circumstances and anticipated operational conditions. There have been other changes to the SOF structure in the past 11 years to great benefit. For example, in 2010, SOF formally integrated conventional force battalions into their organizational construct again improving operational effectiveness by extending their operational reach and leveraging capabilities that SOF did not possess organically. The combination of SOF and conventional forces enabled SOFs to expand VSO/Afghan Local Police (ALP), where force structure limitations had previously prevented expansion.

*Question.* Do you believe this new command structure signals a significant and continuing role for U.S. SOFs in Afghanistan beyond 2014?

Answer. The establishment of NSOCC/SOJTF–A shows that adaptation is required to meet changing operational demands leading to the post-2014 mission set. The authority to change the mission and size of U.S. SOF in Afghanistan after 2014 resides with the President. If confirmed, I will continue to assess the role of our SOF and provide my advice through my chain of command.

AFGHAN LOCAL POLICE/VILLAGE STABILITY OPERATIONS

*Question.* The VSOs and ALP programs have been called critical to ISAF's counterinsurgency strategy in Afghanistan.

What has been the effect of these programs on rural Afghan populations and what has been the response from the Taliban?

Answer. Successful counterinsurgencies require the involvement of local, indigenous defense forces. The program utilizes U.S. and Coalition SOF to train Afghans in rural areas to defend their communities against threats from insurgents and militant groups. The ALP program continues to expand and gain popular support with Afghans. Both VSO and ALP have made substantial progress in protecting and mobilizing rural populations, preventing their exploitation by the insurgency, and expanding the influence of the Afghan Government. The United Nations Assistance Mission in Afghanistan (UNAMA) released its annual report on the protection of civilians, which noted that ALP had improved security and kept insurgents out of ALP areas. Underscoring the effectiveness of the program, the Taliban increasingly and specifically targeted ALP for direct attacks and infiltration to weaken the program. To mitigate the risk of insider threats, SOJTF–A has taken active measures to revalidate all of the more than 17,000 ALP.

*Question.* Do you believe the availability of U.S. special operations teams is a limiting factor in expanding these programs?

Answer. I believe that once we reach the authorized force of 30,000 ALP, an evaluation of SOJTF–A forces and requirements will be required. It is possible, however, that an indigenous force of this size may require additional support from USSOF and conventional force enablers. Several factors can help mitigate this challenge such as conventional forces' helping to build ALP sites. Additionally, once the Afghan Government assumes primary responsibility for supporting ALP, this will free up SOF to create other ALP sites. Lastly, in early 2013, NSOCC–A/SOJTF–A expects to transition half the ALP force into "tactical overwatch" thereby allowing SOF teams to establish new VSO sites and generate additional ALP in strategically important regions. Our experience in foreign internal defense shows that measured growth through a deliberate process is needed to ensure success of this important program.

*Question.* In your view, given the role that local security forces have played historically in Afghanistan, are there limits to the potential growth of the ALP and can and should these forces expand to a point where they can have a strategic impact in Afghanistan?

Answer. I believe we should approach the growth of the ALP in a deliberate manner employing local elders and shuras for nominating and vetting ALP to avoid the

possibility of the scenario which occurred following the Soviet withdrawal. In fact, ALP enjoy a high degree of popularity and support. Local defense forces are a central component of successful counterinsurgencies, and the ALP is having a strategic impact on the counterinsurgency campaign in Afghanistan through their success in protecting their communities against the threat of insurgents and militant groups. If confirmed I will continue to assess this important program to ensure it supports our broader strategic goals in Afghanistan.

*Question.* How do indirect approaches like Village Stability Operations and ALP programs compliment direct action counterterrorism missions within the U.S. strategy in Afghanistan?

Answer. Direct action counterterrorism operations and Village Stability Operations and ALP programs are highly complementary. SOF conduct operations to neutralize insurgent networks, laying the foundation for increased security and future stability operations. CJSOTF–A is then able to implement VSO and ALP programs, which will help maintain the security gains achieved during the operation.

*Question.* What is your understanding of the commitment of the Government of Afghanistan to continue its support of these programs through 2014 and beyond?

Answer. The Afghan Government has authorized an ALP endstrength (tashkil) of 30,000, which is not part of the total 352,000 ANSF endstrength. The ALP program is currently scheduled to end in September 2014. The Ministry of Interior is considering a proposal to make the ALP a fifth "pillar" of the Afghan National Police on par with the Afghan Uniformed Police, the Afghan National Civil Order Police, the Afghan Border Police, and the Afghan Anti-Crime Police. Institutionalizing the ALP in this way would help ensure the program's continuation after 2014. If confirmed, I will encourage the program's transition into the Ministry of Interior.

SPECIAL OPERATIONS ENABLERS

*Question.* SOFs depend on the general purpose forces for many enabling capabilities, including ISR; logistics; and medical evacuation.

If confirmed, how would you ensure adequate enabling capabilities for SOFs as general purpose forces continue to draw down in Afghanistan?

Answer. If confirmed, I would evaluate what enabling capabilities are needed to adequately support the SOF mission set, working collaboratively with NSOCC–A/SOJTF–A and my chain of command.

CONTRACT OVERSIGHT

*Question.* The United States has implemented a number of efforts to reduce the risk that U.S. contracting practices will be subject to corruption, which helps fuel the insurgency and undermines the legitimacy of the Afghan Government. These efforts include the establishment of the Combined Joint Interagency Task Force-Shafafiyat (Transparency) to coordinate ISAF anti-corruption activities.

What is your assessment of ISAF's anti-corruption efforts and understanding of criminal patronage networks, and what additional steps, if any, do you believe should be taken to improve those efforts and to ensure adequate oversight of ISAF and U.S. contracts is in place?

Answer. Corruption poses a strategic threat to the long-term stability of Afghanistan as it undermines security, government legitimacy, and prospects for economic development. Recognizing that Afghan political will is a necessary component of dealing with corruption, I believe ISAF has implemented a number of essential steps for addressing this issue. For example, countering corruption and organized crime is a specific line of operation in the ISAF campaign. ISAF has also recently realigned command and control functions for counter-corruption, counter-narcotics, counter-threat finance, and strategic targeting under a two-star Combined Joint Interagency Task Force-Afghanistan. This realignment was an important step in streamlining functions and processes to bring greater coherence and enhanced capability during a strategic point in the campaign. It also helps raise awareness and focus on U.S. contract oversight responsibilities, such as those outlined in laws and regulations, DOD guidance, and the ISAF Counterinsurgency Contracting Guidance. If confirmed, I will reinforce a command climate that takes those responsibilities seriously.

*Question.* Section 841 of the National Defense Authorization Act for Fiscal Year 2012 provided CENTCOM with new tools to avoid contracting with the enemy, as requested by DOD.

What is your understanding of the extent to which the new authorities authorized in section 841 have been implemented?

Answer. The authorities granted in section 841 are an effective tool to prevent U.S. funds from directly or indirectly funding the insurgency. As of 23 October 2012,

the Commander of CENTCOM has signed three section 841 packages, designating 21 companies and persons of interest as "actively supporting the insurgency or actively opposing U.S. or coalition forces," including a sitting Afghan Member of Parliament. As a result, nine contracts have been terminated or voided. Two additional packages are awaiting the CENTCOM Commander's signature, and four more are in various stages of preparation.

*Question.* What role do you expect to play, if confirmed, in carrying out the authorities provided in section 841?

Answer. Section 841 of the National Defense Authorization Act for Fiscal Year 2012 prohibits contracting with the enemy in the CENTCOM theater of operations. If confirmed, I will uphold my responsibilities required under section 841, to include fulfilling reporting requirements, and will support the efforts of others, up and down my chain of command, in the execution of their duties.

AFGHAN PUBLIC PROTECTION FORCE

*Question.* President Karzai issued a decree calling for the disbandment of most private security contractors (PSCs). Instead, responsibility for security is transitioning to a Ministry of Interior guard force, called the Afghan Public Protection Force (APPF). Under a plan developed by the Government of Afghanistan and ISAF, in March the APPF assumed security responsibility for development projects and convoys, and by March 2013 responsibility for static security at all ISAF bases is expected to transition to the APPF.

What is your assessment of the performance and effectiveness of the APPF in providing convoy and static security?

Answer. The APPF continues to make steady progress. It provides approximately 13,000 guards for various clients throughout Afghanistan and provides static security at approximately 225 sites. At these static security locations, APPF has been very effective and continues to display increased ability and capacity to expand operations. APPF continues to develop its convoy security capabilities recently conducted its first contracted convoy with 40 fuel trucks and 90 security vehicles. If confirmed, I will work to ensure the APPF's performance and effectiveness in both convoy and static security.

*Question.* If confirmed, what steps, if any, would you recommend for improving the development and oversight of the APPF?

Answer. If confirmed, I would recommend continued focus on the development of command, control and management functions as well as its interoperability with other Afghan and coalition security forces. I would also offer that, as a state-owned enterprise, the APPF must continue to develop as a transparent, accountable, and legitimate business model.

AFGHANISTAN PEACE AND RECONCILIATION PROGRAM

*Question.* The Afghanistan Peace and Reconciliation Program (APRP) has been established to enable former insurgent fighters to renounce violence and reintegrate peacefully into their communities. The APRP is funded in part from funds authorized for DOD. According to a DOD report, approximately 4,000 insurgents have formally reintegrated under the APRP as of early 2012. The APRP has been criticized, however, for delays in its implementation and for failing to address underlying political grievances and other concerns that may have contributed to causing individuals to join the insurgency in the first place. Some critics have also raised concerns about reintegrated fighters being admitted into the Afghan Local Police (ALP) program without being adequately vetted.

What is your assessment of the APRP and the program's potential for reintegrating additional numbers of low- to mid-level insurgent fighters?

Answer. The Afghan Peace and Reintegration Program (APRP) is an essential program within the Campaign in that it convinces insurgents to join the peace process, accept the Afghan constitution, renounce violence, and rejoin Afghan society. It is a viable alternative to continued fighting or detention. Since the APRP began 2 years ago, over 5,000 former insurgents have officially reintegrated—exceeding projected numbers from its inception. A number of factors have led to the steady rise in insurgents joining APRP: continued, relentless pressure by coalition forces and the ANSF resulting in battle fatigue and poor morale among the insurgents; increased outreach by provincial level committees; and better communication and messaging of the benefits of the program. Because of these factors, we anticipate a continued steady increase of fighters reintegrating through both informal and formal reintegration processes.

*Question.* If confirmed, would you agree to conduct a review of the effectiveness of the APRP, including whether insurgent fighters reintegrated under the program are being admitted into the ALP without appropriate vetting?

Answer. APRP and the ALP are separate programs and have separate vetting and enrollment processes. The APRP is an Afghan-led program that is supported by ISAF and funded and endorsed by the international community. If confirmed, I will work with the Afghan High Peace Council and Joint Secretariat, which are charged with overseeing and implementing APRP, to assess and resolve the inevitable challenges that arise in implementing this nationwide peace program, to include delays in enrolling reintegrees and approving and funding community recovery projects. Additionally, I will conduct a separate review of the Afghan Local Police (ALP) program to evaluate the rigor and adequacy of the vetting procedures to ensure that all recruits, including reintegrees, are properly vetted.

AMMONIUM NITRATE FOR IMPROVISED EXPLOSIVE DEVICES FROM PAKISTAN

*Question.* Ammonium nitrate (AN), a prime component in improvised explosive devices (IEDs) that have killed or wounded thousands of U.S., coalition, and Afghan troops and Afghan civilians, continues to flow into Afghanistan. The vast majority of this AN flows in from fertilizer factories in Pakistan. In 2010, in an effort to stem the flow of this material, the Afghan Government banned the use of AN as a fertilizer. Despite this, IED incidents and casualties have continued.

If confirmed as Commander, NATO ISAF/Commander, USFOR–A, what tools would you have at your disposal to address the flow of AN into Afghanistan and are there any additional tools that you would seek to have?

Answer. Stemming the flow of ammonium nitrate and other lethal aid into Afghanistan requires a dual-track approach. One approach is diplomatic involving regional actors and would be outside my purview, if confirmed. The other is operational and involves border security and capacity building. ISAF is in the process of developing a borders strategy with the Afghan Government to reduce the influx of ammonium nitrate, insurgents, and weapons by concentrating efforts at the border. NTM–A is training and equipping Afghan Border Police and Afghan Customs Police, but they face significant challenges in fielding units in remote outposts and keeping them supplied. ISAF also employs layered ISR sensors which aid in the ability to detect homemade explosive materials. Additionally, ISAF is working very closely with the U.S. Embassy Borders Management Task Force which mentors and trains borders and customs police to improve their interdiction of illicit drugs, IED materials and other contraband. If confirmed, I will continue these efforts and focus campaign efforts on the border areas; improved border security and border management is vital to the stability and security of Afghanistan.

*Question.* In your view, what role, if any, should Pakistan play in our efforts to stem the flow of AN into Afghanistan?

Answer. Pakistan can play a crucial, indeed leading, role in stemming the flow of ammonium nitrate and other IED precursors into Afghanistan. It has approximately 80,000 paramilitary soldiers stationed in the border region who can assist in the interdiction of homemade explosives and other IED precursors.

*Question.* Do you believe that Pakistan has been effective in its efforts to stem the flow of AN from its territory into Afghanistan?

Answer. Ammonium nitrate is only one of the homemade explosives that have caused so many coalition, ANSF, and Afghan civilian casualties, and we need to focus on all of the materials, that cross the border in both directions. However, many of these IED precursors and homemade explosives flow into Afghanistan from Pakistan, where their production and use is legal. There are certainly more steps and cooperation that we can pursue to stem the flow of IED precursors. Our recent bilateral and the pending trilateral C–IED working group should help us to enhance our cooperation. Pakistan should have a significant interest in this problem because they, too, suffer significant casualties within Pakistan as a result of IEDs using homemade explosives. In addition to seeking Pakistani action on this issue, ISAF and the Afghan Government must focus on strengthening Afghan interdiction capabilities at the border with Pakistan.

AFGHAN OPIUM TRADE

*Question.* According to the United Nations Office of Drugs and Crime, drugs from Afghanistan account for more than 90 percent of the world's heroin trade.

As it relates to the drug trade in Afghanistan, what is your understanding of the role of the Commander of ISAF and Commander of USFOR–A respectively?

Answer. Under U.S. and NATO authorities, COMISAF/COMUSFOR–A counters the drug trade in Afghanistan by strengthening, developing, and enhancing the in-

stitutional capabilities of key Afghan ministries, like the Ministry of Counter-Narcotics. By working across interagency and International Community lines of effort, ISAF/USFOR–A assists GIRoA in preventing the Afghan drug trade from funding the insurgency, fuelling corruption, and undermining security, governance and development.

*Question.* What is your understanding of the rules of engagement for U.S. forces as it relates to drug labs and the drug network respectively and are you satisfied with the flexibility provided under these rules of engagement?

Answer. In accordance with the Laws of Armed Conflict, U.S. forces may target narcotics facilities, equipment, networks, and personnel with a direct link to insurgent groups. Forces can also destroy drugs, equipment, and chemicals inadvertently discovered during routine operations.

*Question.* What is your understanding of the nexus, if any, between the drug trade and the various insurgent groups in Afghanistan?

Answer. The Taliban has been involved in opium and hashish cultivation and trafficking for years in Afghanistan. In many areas of Afghanistan, the insurgency intimidates the farmers to cultivate additional acres. By working and controlling drug trafficking organizations and other criminal elements associated with the Afghan drug trade, the Taliban has profited greatly. We have also seen the inclusion of criminal patronage networks into this narcotics-insurgency nexus.

*Question.* How significant a source of funding is the drug trade for insurgent groups in Afghanistan?

Answer. The insurgency depends on domestic poppy cultivation and the narcotics trade as its primary source of internally-derived revenue. Insurgent groups, especially the Taliban, profit at all stages of the narcotics trafficking cycle. The Taliban taxes opium farmers, who often pay their taxes to the Taliban in the form of harvested opium. The Taliban generates cash by selling this opium to narcotics traffickers at opium bazaars and by acting as muscle-for-hire to protect heroin labs and key smuggling routes, or ratlines, used by the traffickers to get illicit narcotics out of Afghanistan. In addition, the Taliban uses like methods to tax and control the hashish market, deriving large amounts of revenue.

COUNTER NARCOTICS POLICE OF AFGHANISTAN

*Question.* For much of the past decade, DOD has expended approximately $450 million building the capacity of the Counter Narcotics Police of Afghanistan (CNPA).

What is your current assessment of the CNPA?

Answer. The CNPA is Afghanistan's principal police organization targeting Afghanistan's narcotics industry. Although ISAF continues to partner closely with this organization, it has already demonstrated the capability to operate independently. The current CNPA tashkil is authorized at 2,570 positions and executes the full range of counternarcotics (CN) policing operations and has a robust organic intelligence capability resident within three highly-trained specialized sub-elements: the Intelligence and Investigative Unit (IIU), the Sensitive Investigation Unit (SIU), and the Technical Investigation Unit (TIU). These intelligence organizations are effective with coalition mentoring and oversight, providing a critical capability within Afghanistan. The SIU carries out complex CN investigations using intelligence developed by the TIU which performs court-authorized judicial wire intercepts. ISAF continues to work closely with the Afghan Government to enhance Afghan CN capacity and institutions to enable transition by 2014.

*Question.* As the Commander, NATO ISAF/Commander, USFOR–A, what would be your relationship to the CNPA?

Answer. If confirmed, my relationship to CNPA would be through the training, financial, and operational support provided by NTM–A, USFOR–A, and the Interagency Operations and Coordination Center (IOCC). NTM–A is responsible for training and the transition of CNPA personnel, assigning mentors to the CNPA, and assessing progress. USFOR–A funds CNPA salaries. The IOCC, led by the Drug Enforcement Administration (DEA) and the UK's Serious Organized Crime Agency, provides intelligence and operational support to law enforcement CN operations in Afghanistan.

*Question.* Are you satisfied with the arrangement?

Answer. Yes, each of these components plays a crucial role in supporting Coalition and Afghan counternarcotics efforts.

*Question.* What role, in your view, should the State Department play in managing this aspect of the Afghan security forces?

Answer. In addition to ISAF's efforts listed above, the U.S. DEA, which falls under the U.S. Ambassador in Afghanistan, trains, mentors and partners with the CNPA SIU, TIU, and National Interdiction Units (NIU) and provides training to

provincial CNPA teams. ISAF and CENTCOM have enjoyed a close working relationship with DEA, one that I will continue to build upon if I am confirmed. Further, I will work with U.S. stakeholders in the Departments of State and Defense and the DEA to determine how these responsibilities and relationships will evolve as ISAF's mission draws to a close in 2014.

COUNTER THREAT FINANCE ACTIVITIES IN AFGHANISTAN

*Question.* In 2008, the United States created the Afghanistan Threat Finance Cell (ATFC) to disrupt the flow of funding from the Afghan opium trade and other illicit sources to the Taliban, al Qaeda, and other terrorist and insurgent groups in Afghanistan. The ATFC and related organizations have helped Afghan authorities investigate and prosecute individuals connected to the opium trade, identify outside sympathizers who have been supplying funding to those individuals, and take on a variety of corrupt schemes that have filled the coffers of the Taliban-led insurgency and other illicit actors.

What is your assessment of the operations of the ATFC?

Answer. The ATFC is a critical tool in the fight against corruption and threat financing in Afghanistan, and I would assess their operations as effective. ATFC has tackled the most significant threat finance networks in Afghanistan, to include Kabul Bank, the New Ansari Network, and the Haji Khairullah and Haji Sattar Money Exchange. Working with their Afghan law enforcement partners, Federal investigators and analysts assigned to ATFC uncovered the rampant fraud at Kabul Bank and, 2 years later, continue to unearth evidence of crimes, including loan book schemes and money laundering activities, committed at that financial institution. If confirmed, I will continue to utilize this important partner.

GENERAL PURPOSE FORCES USED FOR SECURITY FORCE ASSISTANCE

*Question.* Building the security forces of foreign nations has traditionally been a SOF mission. However, in both Iraq and Afghanistan, general purpose forces have been performing this mission for some time.

What is your understanding and assessment of the preparation and performance of Army and Marine Corps general purpose forces operating in Afghanistan in a security force assistance role?

Answer. The preparation and performance of the Army's and Marine Corps' general purpose forces has been superb. Our general purpose forces in Afghanistan have been agile and rapidly adapted to evolving requirements. They built, trained, partnered, and mentored the ANSF. Their outstanding performance has enabled independent ANSF operations, established and nurtured institutional and logistical development, and strengthened ANSF enabling capabilities. Based on this success, ISAF's main effort can shift from partnering and combat to training, advising, and assisting the ANSF at the tactical and operational levels until they are able to conduct operations independently.

*Question.* How do you envision the use of general purpose forces in the security force assistance role, if at all, as U.S. forces continue to drawdown through 2014?

Answer. While we will continue to adapt to a changing battlefield and operational environment, if confirmed, I envision continuing to employ general purpose forces in a Security Force Assistance role. Security Force Assistance enables ISAF to provide continued and sustainable development of the ANSF as they move into the lead, and general purpose forces will continue to play a critical role in developing Afghan Army and Police forces through 2014. Over the next 2 years, security force assistance brigades (SFABs) will deploy to train the ANA and Afghan National Police (ANP) from the battalion (kandak) and district through Corps and Zone levels. SFABs are specifically designed to manage risk, oversee force protection, and provide enabler support when necessary for smaller Security Force Assistance Teams (SFAT). Each SFAT is tailored to possess specific skills associated with the ANSF unit to which they are assigned, and each will vary in composition and disposition. As the Afghan Security Force capabilities and capacity improve, coalition forces will provide less frequent training and advice at the lower levels and focus efforts at the higher echelons to better integrate our enabler support.

WOMEN IN COMBAT

*Question.* What restrictions, if any, do you believe should be imposed with respect to the assignment of combat-related duties to women in uniform, or the assignment of women to combat units?

Answer. Any decision regarding the assignment of women to combat-related duties or to combat units should be based on our obligation to maintain a high state of mission readiness and should be approached carefully and deliberately. Our

women in uniform are vital to mission readiness. Like the Secretary of Defense and Chairman of the Joint Chiefs of Staff, I am fully committed to removing barriers that prevent servicemembers from rising to their highest potential based on their ability and not constrained by gender-restrictive policies.

HEALTH OF THE FORCE

*Question.* The committee is concerned about the stress on military personnel resulting from lengthy and repeated deployments and their access to mental health care in theater to deal with this increased stress, as well as the prevention and care for traumatic brain injury. Increased suicide rates are clear reminders that servicemembers, particularly those who have been deployed multiple times, are under tremendous stress and need access to mental health care.

What is your assessment of the adequacy of health care and mental health capabilities supporting servicemembers in Afghanistan?

Answer. It is USFOR–A's goal to provide a level of health care that is on par with the care our servicemembers would have received at home, and they are achieving that standard for primary care and specialty care regardless of servicemembers location. In the area of trauma care, USFOR–A has greatly exceeded that standard, having one of the best trauma systems in the world. The speed with which they are able to evacuate patients out of Afghanistan, whether after combat injury or for care beyond what is available in theater, is exceptional. If confirmed, I will endeavor to maintain this high standard.

For deployed servicemembers with behavioral health issues, USFOR–A has made enormous progress over the last 10 years in providing improved resources and availability. For example, they exceed the recommended provider-to-individual ratio and in the last 2 years have implemented new video technology that allows access to behavioral health specialists for servicemembers even in remote locations. USFOR–A has also improved the identification of servicemembers at risk both before and after deployment. I am very confident that we are meeting the mental health needs of our deployed personnel in Afghanistan.

*Question.* What is your assessment of suicide prevention programs and resources available to support these programs in Afghanistan?

Answer. USFOR–A has made a concerted effort to develop and deploy suicide prevention programs and resources for servicemembers and civilians serving in Afghanistan. These programs are in place, and personnel know where to get help. Command involvement is critical for the successful employment of these programs and the support from commanders has been key to getting the word out. Suicide prevention is something that I take very seriously, and, if confirmed, it will be a high priority for me.

*Question.* What is your assessment of the implementation of DOD policy on management of mild traumatic brain injury throughout Afghanistan?

Answer. USFOR–A has been very aggressive in instituting a comprehensive in-theater evaluation process for mild traumatic brain injury (mTBI) that has shown significant progress in how we screen for and treat this injury. The medical treatment system begins at the point of injury with MACE testing for all suspected mTBI through unit providers who perform extended evaluations. If necessary, they can refer cases to one of nine fully staffed 24/7 concussion care centers located throughout the CJOA–A. These centers can treat servicemembers for up to 21 days and have admitted over 3,418 servicemembers for evaluation. The unit medical providers along with the concussion care centers are supported by two Role III hospitals with state-of-the-art, TBI dedicated MRI machines. The success of the program is supported by a consistent monthly 95 percent return to duty rate within 2 weeks.

*Question.* What is your assessment of medical evacuation capabilities in theater today from a joint force perspective?

Answer. USFOR–A provides the most robust and responsive medical evacuation system in history. Across Afghanistan, joint and coalition air evacuation platforms link highly capable medical facilities so battlefield casualties can be assured of getting to medical treatment facilities within the timelines established by the Secretary of Defense. Consequently, the likelihood of dying from one's wounds is the lowest in history.

*Question.* If confirmed, what standard would you establish for capability and availability of medical evacuation assets, including for forward operating units?

Answer. If confirmed, it will be one of my highest priorities to ensure our ability to maintain the unprecedented survival rates we have achieved.

SEXUAL ASSAULT PREVENTION AND RESPONSE

*Question.* The Department has in recent years developed comprehensive policies and procedures to improve the prevention of and response to incidents of sexual assaults, including providing appropriate resources and care for victims of sexual assault. However, incidents of sexual assault and misconduct involving military personnel in Afghanistan are still being reported. Victims and their advocates claim that they are victimized twice: first by attackers in their own ranks and then by unresponsive or inadequate treatment for the victim. They assert that their command fails to respond appropriately with basic medical services and with an adequate investigation of their charges followed by a failure to hold assailants accountable.

Secretary Panetta has recently announced new initiatives to curb sexual assaults in the military and to provide support to victims of sexual assaults.

What is your assessment of the Secretary of Defense's initiatives, and, if confirmed, how will you implement them in Afghanistan?

Answer. These initiatives reinforce the Department's commitment to eradicating sexual assault from our ranks. If confirmed, I will promote a leadership climate that encourages reporting without fear and holds perpetrators accountable for their actions. Whether deployed abroad or at home, commanders and leaders at every level must fully understand their authority, responsibilities, and obligations to establish positive command climates that safeguard all members within their units from predatory behavior. Facilitating this climate is an inextricable part of that bond of trust we share with our fellow brothers and sisters in arms. If confirmed, I will ensure commanders have the resources they need to investigate accusations of sexual assault, provide care and support for victims and fairly adjudicate each case.

*Question.* Do you consider the current sexual assault policies and procedures, particularly those on restricted reporting, to be effective?

Answer. The Department has put considerable effort into the development of policies and procedures designed to address sexual assault and improve reporting. The Department faces the same challenges that society faces in dealing with incidents of sexual assault—balancing care to victims with prosecuting offenders. The Department's restricted reporting allows victims who wish to remain anonymous to come forward and obtain the support they need following an allegation of sexual assault.

*Question.* What problems, if any, are you aware of in the manner in which restricted reporting procedure has been put into operation?

Answer. I am not aware of any problems with confidential (restricted) reporting.

*Question.* What is your view of the steps taken to prevent and respond to sexual assaults in Afghanistan, including assaults against U.S. civilian and contractor personnel?

Answer. Victims of sexual assault need to be protected and receive timely access to appropriate treatment and services, regardless of their location. The current zero-tolerance policy, education, training, and commander involvement at all levels maintain the right course in eradicating this crime from our workforce, including all U.S. personnel in Afghanistan, whether military, government civilian, or contractor. If confirmed, I will ensure that if any deployed servicemember, civilian or contractor is assaulted, he or she will receive appropriate and responsive support and care. As importantly, I will do all I can to prevent incidents of sexual assault.

*Question.* What is your view of the adequacy of the training and resources in place in Afghanistan to investigate and respond to allegations of sexual assault?

Answer. The Services recently enhanced their resources for investigating and responding to allegations of sexual assault. Combat zones and other overseas environments present special challenges that require coordination to ensure we are applying those resources effectively and efficiently. If confirmed, I will review our sexual assault prevention and response program to ensure it meets the needs of our deployed servicemembers and commanders; that resources are appropriately provided so that commanders are fully capable of investigating and adjudicating allegations of sexual assault; and I will ensure deployed victims have full access to treatment and victim care services.

*Question.* What is your view of the willingness and ability of military leaders to hold assailants accountable for their acts?

Answer. Holding assailants accountable is a leader's inherent duty and responsibility, and I believe our military leaders are willing and able to hold assailants accountable for their acts. If confirmed, I will expect nothing less. The Department's policy emphasizes the command's role in an effective response. Special training is provided to commanders, investigators and prosecutors to ensure they are prepared to address incidents of sexual assault. Our policies seek to balance victim care with

appropriate command action against offenders in order to build victim confidence in assisting investigations.

*Question.* If confirmed, what actions will you take to reassess current policies, procedures and programs and to ensure senior level direction and oversight of efforts to prevent and respond to sexual assaults in Afghanistan?

Answer. If confirmed, as part of my assessment, I will ensure that all commanders in theater evaluate the sexual assault prevention and response capabilities for their areas of responsibility. Further, this assessment will solicit feedback from those below commander-level to ensure we create an atmosphere which aims to eliminate assault.

CULTURAL AWARENESS RESOURCES

*Question.* To what extent are you aware of DOD research efforts that can be resources to ISAF, such as the Strategic Multi-Layer Assessment activity; the Human, Social, Cultural Behavior modeling program; and the Minerva Initiative?

Answer. I am familiar with several DOD and non-DOD social science resources, and I endeavor to gain a better understanding of how they may be applied to the Afghanistan context, if confirmed. For example, I understand ISAF is sponsoring a Minerva Initiative effort to map civilian perceptions of international troops to understand the variances that cause support or non-support of international troop presence. In addition, ISAF is working with Oak Ridge National Laboratory to gather population data for a Strategic Multi-Layer Analysis activity that could help strategically conceptualize tactical and operational data collected in the field to determine if U.S. objectives are being met. Finally, the Human, Social, Cultural Behavior modeling program is still maturing and is not fully optimized to support ISAF at this time, though it has the potential in the future of providing ISAF a means of understanding social-cultural behavior.

STANDARDS FOR TREATMENT OF DETAINEES

*Question.* Section 1403 of the National Defense Authorization Act for Fiscal Year 2006 provides that no individual in the custody or under the physical control of the U.S. Government, regardless of nationality or physical location shall be subject to cruel, inhuman, or degrading treatment or punishment.

If confirmed, will you take steps to ensure that all relevant DOD directives, regulations, policies, practices, and procedures applicable to U.S. forces in Afghanistan fully comply with the requirements of section 1403 and with Common Article 3 of the Geneva Conventions?

Answer. Yes. If confirmed, I will ensure that U.S. Forces in Afghanistan fully comply with all relevant provisions of DOD directives, regulations, policies, practices, and procedures applicable to U.S. forces in Afghanistan, and that they fully comply with the requirements of section 1403 of the Detainee Treatment Act of 2005 and with Common Article 3 of the Geneva Conventions. Conducting detention operations in the most humane manner possible remains a strategic component of our campaign that directly reflects upon our Nation's values and the ideals we espouse to our Afghan counterparts.

*Question.* Do you support the standards for detainee treatment specified in the revised Army Field Manual on Interrogations, FM 2–22.3, issued in September 2006, and in DOD Directive 2310.01E, the Department of Defense Detainee Program, dated September 5, 2006?

Answer. Yes, I understand and support the standards for the treatment of detainees and will adhere to them, if confirmed. All detainees shall be treated humanely, and in accordance with U.S. law, the Law of War, and applicable U.S. policy. Humane treatment entails the following: no violence, no cruelty, no torture, and no humiliating or degrading treatment. Under United States law, humane treatment also consists of providing detainees with adequate food, drinking water, shelter, clothing, medical care, and protection of personal property. I believe these humane treatment policies, as practiced at the Detention Facility in Parwan, have adequately protected detainees, provided for actionable intelligence, contributed to mission success, and enhanced U.S. Forces reputation in the global community.

*Question.* How would you ensure a climate that not only discourages the abuse of detainees, but that encourages the reporting of abuse?

Answer. I believe that engaged and active leadership grounded in the requirements of Common Article 3 of the Geneva Convention and DOD Directive 2310.01E is required for the secure and humane care, custody and control of detainees. If confirmed, I will ensure these elements remain the cornerstone of U.S. Law of Armed Conflict (LOAC) detainee operations. I will also reinforce the obligation to prevent abuse and the duty to report abuse as non-negotiable elements in our guard force

training and ensure all detainees are informed of their rights upon entry into the detention facility, to include their right to report any type of abuse free from retribution. The use of medical providers to screen for signs of abuse, and the integration of a robust self-assessment program bolstered by external assessments from the International Committee of the Red Cross further creates an open and transparent command climate fused with timely feedback. Finally, if confirmed, I will ensure my command team has internalized their professional responsibility to track and investigate any allegations of abuse and take swift action when appropriate. Furthermore, we will continue to assist the ANA in developing their detainee abuse reporting systems and sustain the use of U.S. advisors performing overwatch procedures in ANA-controlled facilities.

DETENTION OPERATIONS IN AFGHANISTAN

*Question.* In March the United States and Afghanistan signed a Memorandum of Understanding (MOU) on detention operations. The MOU provides for the transfer of the U.S. detention facility at Parwan to Afghan control within 6 months even as efforts to build the capacity of Afghanistan to conduct detention operations continue.

What is your assessment of the process of transferring the Parwan detention facility to Afghan control?

Answer. I believe the elements are in place to sustain this transfer process while continuing to expand Afghan rule of law and sovereignty. Since the March 9, 2012, Memorandum of Understanding (MOU) between General Allen and Defense Minister Wardak, over 3,000 detainees have been transferred from U.S. LOAC to ANA custody. Additionally, we have transferred physical control of a number of detention housing units and are continuing to build Afghan sustainable facilities to meet our agreed upon requirements. This physical transfer of detainees and facilities occurred in a deliberate, organized process with zero lapses in the safe and humane care, custody and control of the detainee population.

Although the transfer of detainees is presently halted, our ongoing partnership with the Afghan Detention Operations Command in Parwan remains robust and synchronized. As a result, the ANA, with U.S. advisory oversight and security force assistance, have proven capable of successfully assuming physical ownership of the facilities and conducting detention operations for the detainees and prisoners in their custody. Looking forward, I foresee the need to retain some capacity at the Parwan site to conduct ongoing U.S. LOAC detainee operations as a critical component to U.S. and coalition force protection.

*Question.* What is your assessment of Afghanistan's capacity to conduct detention operations at Parwan?

Answer. Overall, I believe strong leadership with a clear vision that balances sovereign Afghan rule of law with U.S. and coalition force protection requirements will ensure the continued progress and success of this transition. During the transfer of detention operations to Afghan control in accordance with the March 9, 2012, MOU, the Afghan Army has demonstrated its ability to maintain secure and humane care, custody and control of their detainee population. The ANA continue to source, train and develop the skills and capacities necessary to establish an independent, sustainable detention operations program at Parwan. However, this effort is not complete or without significant challenges.

While the Afghans have already taken control of food services and guard control for their facilities, they are only in the nascent stages of taking ownership and responsibility for other key areas of the detention operation mission such as facility engineering, medical support, sanitation and overall logistics. U.S. support in providing these key enabler mission areas will be critical to a continued successful partnership during the transition. With respect to their guard force, developing a professional guard force with strict adherence to policies and procedures remains a mid-level leadership challenge that poses continued risk to the ability of the ANA guard force to conduct daily operations inside of their housing units. This is mitigated through our continued partnering, advising and assisting within these units.

MARINE SECURITY GUARDS IN EMBASSIES

*Question.* Due to the attack on the U.S. consulate in Benghazi, Libya, which resulted in the death of of a U.S. Ambassador and three other Americans, many are conveying concern about the safety of U.S. diplomatic personnel around the world.

Do you share this concern?

Answer. Yes.

*Question.* The Marine Security Guard Program was established in 1946, and its mission, to provide internal security at designated embassies of classified information and equipment, remains unchanged to this day.

In light of increasing threats to U.S. diplomatic personnel by terrorists throughout the world, do you believe it is time to re-examine the Program's mission and protocols?

Answer. I believe the Marine Security Guard (MSG) Program, as defined under existing protocols between the Marine Corps and Department of State, functions well and meets the needs of our diplomatic missions around the world. However, based on changing security dynamics we are in the process of taking a look at what changes to the program might be necessary. I fully appreciate the importance of this mission and understand it is important to work closely with the Department of State to ensure our MSG organization, mission and security protocols are responsive to their identified needs.

*Question.* If so, should it be broadened to provide additional protection to U.S. diplomatic personnel?

Answer. Broadening the Program's mission and protocols is one of several options available to increase security to U.S. diplomatic personnel. A holistic approach must be taken toward the security of diplomatic personnel abroad; the Marine Corps is in the process of examining various options regarding the security of diplomatic missions abroad and, in conjunction with the lead agency for Diplomatic Security, the Department of State, will develop various options involving not only personnel solutions but also other physical security methods to protect U.S. diplomatic interests. The Marine Corps has a long history of working with the State Department, and should adjustments be required, will work eagerly to ensure the internal security functions aboard diplomatic premises meet the standards required.

*Question.* In your opinion, what additional steps, if any, should be taken to reduce the risk of attacks on U.S. embassies and consulates and diplomatic personnel by terrorist organizations within Afghanistan and throughout the region?

Answer. We must continue to monitor threats to our diplomatic posts in Afghanistan and around the region, and adjust our security posture based on the threats and changing conditions on the ground. External security at our embassies and consulates is, first, the responsibility of the host nation and must remain so. In Afghanistan, we maintain a heightened security posture, and will continue to do so, in order to reduce risks commensurate with local threats and to advance the important work of our diplomatic personnel.

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 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 ISAF Commander/Commander, USFOR–A?

Answer. Yes.

*Question.* Do you agree to ensure that testimony, briefings and other communications of information are provided to this committee and its staff and other appropriate committees?

Answer. Yes.

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

Answer. Yes.

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[Questions for the record with answers supplied follow:]

QUESTIONS SUBMITTED BY SENATOR KAY HAGAN

VILLAGE STABILITY OPERATIONS/AFGHAN LOCAL POLICE

1. Senator HAGAN. General Dunford, two general purpose Army infantry battalions have been assigned to augment Special Operations Forces (SOF) carrying out

the Village Stability Operations (VSO) and Afghan Local Police (ALP) programs in Afghanistan, thereby serving as a force-multiplier and allowing for these programs to reach a greater number of rural Afghan communities. What is your assessment of this type of command relationship where general purpose forces are placed under the direct control of special operations commanders?

General DUNFORD. This command structure has improved overall effectiveness by extending SOF operational reach and leveraging capabilities that SOF did not organically possess. This combination enabled the growth of VSO/ALP, where force structure limitations had previously limited or prevented expansion. The unique and innovative SOF command relationships, which have evolved over the last 2 years in combat, demonstrate the necessity for organizational flexibility and adaptability.

2. Senator HAGAN. General Dunford, do you believe additional general purpose forces should be used to augment SOF to allow for more rapid expansion of the VSO and ALP programs?

General DUNFORD. I believe that once we reach the authorized force of 30,000 ALP, an evaluation of Special Operations Joint Task Force-Afghanistan forces and requirements will be required. It is possible that an indigenous force of this size may require additional general purpose force augmentation, but that will be determined as the conditions on the ground dictate. It would be premature to advocate expansion without first ensuring that we are maximizing the potential of our existing force structure. Additionally, it would be wise to pursue growth in a deliberate and measured manner to ensure that the capacity of Afghan governance in these remote areas is maturing sufficiently to support the expansion of ALP. If we rush expansion, the framework that has been so successful to date becomes inherently unstable.

LOCAL UPRISINGS

3. Senator HAGAN. General Dunford, over the summer, there were local uprisings against the Taliban in several eastern Afghan provinces by tribesmen, many of whom were Pashtun, reportedly because of concerns about repressive Taliban governance. What is your assessment of these uprisings, and do you believe we can expect to see more of them?

General DUNFORD. These local uprisings have generally occurred as a result of several conditions all coming together at once—individuals prepared to step up to a leadership role, local groups seeing an opportunity to take effective action, and other factors. One factor they all share is a popular dislike for the harsh policies imposed by the Taliban.

In areas where these conditions exist—particularly where there is continued harsh treatment at the hands of the Taliban, we may see more of these local uprisings. However, it remains to be seen if they will grow beyond small, localized conflicts. If these movements are to be sustained integral to this process will be the ability of the Government of the Islamic Republic of Afghanistan (GIRoA) to organize support at the subnational governance level.

4. Senator HAGAN. General Dunford, how can the U.S. and Afghan Governments better support these uprisings without unintentionally strengthening local power brokers and undermining the motivation of local populations to oppose the Taliban?

General DUNFORD. This is an area where the Afghan Government must take the lead, with the coalition forces acting in support. The Government of Afghanistan is in a better position to understand the intensely local conditions surrounding these uprisings, who the players are and what are their motivations. We must be careful to ensure that we are not supporting a local power broker's militia that will have an adverse effect on stability in the long run.

5. Senator HAGAN. General Dunford, in your view, how does support for local uprisings against the Taliban compliment efforts to expand those areas under the protection of the Afghan National Security Forces (ANSF)?

General DUNFORD. These local uprisings pose a similar problem for the Taliban as the ALP do. A successful uprising denies the Taliban access to the local population, impedes their movement through the area, and may help inspire others to resist Taliban influence. By supporting these movements where merited, the Afghan National Army (ANA) and ANP can support further weakening of Taliban influence and increase the area under protection of the ANSF.

AFGHANISTAN ECONOMY

6. Senator HAGAN. General Dunford, the World Bank estimates that over 90 percent of Afghanistan's economy is tied to international military and donor spending. With the North Atlantic Treaty Organization (NATO) forces leaving Afghanistan, after more than a decade, we must be concerned about the potential for an economic meltdown with reduced security, political instability, more violence, and economic destruction. What are your thoughts on what needs to be done between now and the end of 2014 to ensure the Afghan economy has the best chance to sustain itself?

General DUNFORD. The Coalition's relationship with Afghanistan has always been one of partners. The NATO Mission is mindful that Afghans may feel uncertain about aspects of their future. What needs to be clearly conveyed is the commitment that has been made by the greater International Community (IC) to stand with the people of Afghanistan in security, economic development, social services, justice, and self-determination through the ongoing building of institutions, capacity at the national and local levels of government, and the 2014 elections. If confirmed, I will seek continued coalition support to implement a transition strategy with the objective of mitigating the economic impacts of the military drawdown and the gradual reduction of international development assistance.

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QUESTIONS SUBMITTED BY SENATOR JAMES M. INHOFE

GREEN-ON-BLUE ATTACKS

7. Senator INHOFE. General Dunford, were all ANSF personnel fully vetted or were short cuts taken to ensure we could rapidly grow the ANA and the ALP?

General DUNFORD. The Afghans have established sound procedures for vetting ANSF personnel. Short cuts to the eight-step vetting process, however, were evident during the period to rapidly grow the ANA and the ALP forces. During this period the quality of compliance with established vetting standards were not properly ensured. The Afghans have since worked hard to re-establish conformity with sound procedures for vetting ANSF personnel and have significantly increased the number of counterintelligence personnel and training to ensure compliance with those standards.

8. Senator INHOFE. General Dunford, with the dramatic increase in Green [Afghan]-on-Blue [coalition] attacks this year, what actions have been taken to limit these kinds of attacks?

General DUNFORD. Because no single definitive countermeasure can prevent insider attacks, International Security Assistance Force (ISAF) and the ANSF introduced a program of countermeasures, which applied collectively, are reducing the threat posed by insider attacks. These measures include strict application of the vetting processes for new recruits; scheduled revetting of personnel returning from leave and living in insurgent-controlled areas; increasing the number and training for intelligence personnel; and enhancing force protection for ISAF troops operating in small units or in remote areas.

Partnered counterintelligence trials at select locations are underway as well as efforts to implement official information-sharing mechanisms across ANSF security directorates. Senior Afghan officials in Kabul will also be conducting leadership seminars across Afghanistan in efforts ensure ANSF personnel at the tactical and operational levels receive proper guidance and are well informed.

Additionally, I am encouraged by the joint, integrated ISAF–ANSF approach and level of the Afghan Government's commitment to reducing this mutual threat. For example, ISAF and ANSF established the three-star led Insider Threat Action Group and one-star led Insider Threat Mitigation Team, which they co-chair, to identify lessons and required courses of action for the future.

9. Senator INHOFE. General Dunford, do you believe we have turned the tide or do you foresee more of these Green-on-Blue attacks?

General DUNFORD. First and foremost, the insider threat is a force protection issue. Under General Allen, ISAF has taken a comprehensive approach to the insider threat, both at home station in terms of enhanced training and training and additional measures that take place once forces are deployed to Afghanistan.

There has also been a significant increase in the number of counterintelligence resources in Afghanistan, both on the part of the coalition as well as within the Afghan national security forces. This is starting to bear fruit as over 400 ANSF members have been arrested as a result of this increased scrutiny, and additional investigations continue.

This critical issue is far from being solved, but progress is being made.

IRANIAN INFLUENCE IN AFGHANISTAN

10. Senator INHOFE. General Dunford, what is the current level of Iranian activity in Afghanistan?

General DUNFORD. In coordination with Senator Inhofe, a Top Secret classified brief will be provided on December 18, 2012 at 9:30 a.m. in SVC–217.

11. Senator INHOFE. General Dunford, what will be the impact of Iran's influence in Afghanistan in the near-term and far-term?

General DUNFORD. In coordination with Senator Inhofe, a Top Secret classified brief will be provided on December 18, 2012 at 9:30 a.m. in SVC–217.

2014 AFGHANISTAN PRESIDENTIAL ELECTIONS

12. Senator INHOFE. General Dunford, what impact will the planned election have on the transition from ISAF troops to the ANSF?

General DUNFORD. The 2014 Afghan Presidential election is not likely to have a significant impact on the transition from ISAF to the ANSF. When the final tranche enters transition in mid-2013, the ANSF will have the lead for security throughout Afghanistan. Initial assessments indicate ANSF will be sufficiently developed to provide the principal security for the 2014 elections. ISAF advisors will remain past the 2014 election to train, advise, and assist the ANSF.

13. Senator INHOFE. General Dunford, how do you foresee the ISAF and ANSF forces be used during the election?

General DUNFORD. The ANSF is in the lead for security during the 2014 Presidential election. I envision the ANSF will conduct a layered security concept that proved successful in previous elections. ISAF/USFOR–A planning, focused on ANSF advice and planning assistance, is in the early stages and will continue throughout the next 16 months until the election.

14. Senator INHOFE. General Dunford, what impact will the elections have on current operations?

General DUNFORD. The provision of security for the Afghan Presidential elections is being planned as part of the 'current operations' of both ANSF and ISAF in 2014, making use of normal 'framework' patrolling and operations. By that point in time the ANSF will have the lead for security across the country, and ISAF will focus on supporting them for this important event.

AFGHANISTAN NATIONAL SECURITY FORCES

15. Senator INHOFE. General Dunford, is it correct to say that the capability of the Afghan Security Forces is the decisive point of our Afghan strategy?

General DUNFORD. The critical part of our effort in Afghanistan over the next 2 years will be our continued efforts to develop the capabilities of the ANSF. The ANSF will be the defeat mechanism for the insurgency. They will be the forces that allow our strategy to be successful in Afghanistan. Those forces are the ones that will allow our success to be enduring.

16. Senator INHOFE. General Dunford, what is your overall assessment of the ANSF—size, capability, and confidence?

General DUNFORD. Overall, the ANSF is on track to achieve end strength and continues to show improvements in capabilities and confidence.

*Size:*

The ANA is scheduled to achieve end strength of 187,000 soldiers inducted by December 2012, and to have these personnel trained, equipped, and fielded by December 2013. The ANP is expected to reach its end strength of 157,000 personnel inducted by February 2013, and to have these personnel trained, equipped, and fielded by December 2013. The AAF is expected to reach its end strength goal of 8,000 by December 2014, but is not expected to be fully capable and fielded until 2017.

*Capability:*

The ANSF is increasingly taking over responsibility for securing their own country. They have demonstrated increased capabilities and sophistication in

transitioning areas, particularly in RC–E and RC–S through recent ANSF planned and conducted large-scale, multi-day operations.

*Confidence:*

The operational capability of the ANA is showing improvement as they coordinate and conduct joint operations between the Army, Uniformed Police, Border Police, Civil Order Police, and the National Directorate of Security. This progress is improving ANSF confidence.

17. Senator INHOFE. General Dunford, what is their operation tempo?

General DUNFORD. In many places the ANSF operational tempo is high based on the need to disrupt the insurgency, support stability operations, and transition to security lead. Historically, during the months of April through September there is a significant increase in operational tempo. In 2012, ANSF-led major operations have steadily increased and the ALP increasingly posed a substantial threat to Taliban activities at the local level. Additionally, force generation and development efforts have enhanced operational effectiveness but also add to increased operational tempo.

18. Senator INHOFE. General Dunford, have we solved their pay issues?

General DUNFORD. Progress is still being made in this area. Currently 99 percent of ANA and 83 percent of ANP receive their pay via electronic funds transfer, reducing opportunities for corruption. However, low literacy and availability of electronic banking facilities in some areas still pose challenges. The Law and Order Trust Fund for Afghanistan maintains the Electronic Payroll System which is used to calculate payroll for the ANP; the ANA is in the process of bidding for a computerized payroll system in order to expedite payroll calculation and improve the timeliness of EFT disbursement for soldiers.

19. Senator INHOFE. General Dunford, what is the current attrition rate as well as the impact of that attrition rate?

General DUNFORD. Annual attrition for the Afghan National Police is currently at 16.0 percent, within the 16.8 percent objective rate. Annual attrition for the ANA is currently at 29.7 percent, exceeding the 16.8 percent objective rate.

The higher ANA attrition rate will increase the time required for the ANA to eliminate NCO shortfalls and to meet desired training and manning levels.

20. Senator INHOFE. General Dunford, will the ANSF be ready by the summer 2013 and December 2014 timelines? What are our options if they are not ready?

General DUNFORD. ANSF is taking over responsibility for securing Afghanistan in accordance with the Afghan-led transition process across all 261 districts from Tranches 1, 2 and 3. With implementation of Tranche 3 which began in May 2012, approximately 76 percent of the Afghan population lives in areas where the ANSF are in the lead for security.

My initial assessment is that transition in all provinces is on track to be complete per the Lisbon-based process by the end of 2014, and ANSF will be fully responsible for security nationwide. If confirmed, I will review all potential options to ensure the ANSF is fully prepared for the 2014 security-lead and mitigating risks associated with that transition.

21. Senator INHOFE. General Dunford, how much funding has been pledged by NATO allies and coalition partners to sustain the ANSF?

General DUNFORD. At the NATO Summit held in Chicago on May 20–21, 2012, NATO and ISAF partner nations made a strong pledge of long-term support for the security in Afghanistan. To this end, partner nations (including the United States) committed $3.6 billion per year for the ANSF starting in 2015 and running through 2017.

22. Senator INHOFE. General Dunford, can the Afghan Government sustain these forces given this projected funding?

General DUNFORD. The Afghans will require continued support from the international community (as pledged at the Chicago summit) to sustain the ANSF. The projected funding addresses a base force of 228,500 to be sustained at a certain level of capability.

WITHDRAWAL SCHEDULE

23. Senator INHOFE. General Dunford, if security conditions do not improve sufficiently by December 2014, will all U.S. combat forces be withdrawn nevertheless by that date?

General DUNFORD. My assessment is that the ANSF is an increasingly capable force which has expanded security gains in many areas undergoing transition. On average, these areas demonstrate a decrease in violence. Decisions on the pace and magnitude of U.S. troop reductions will be made by the President of the United States. If confirmed, I will continue to assess the situation and will advise the chain of command of any significant changes.

24. Senator INHOFE. General Dunford, what conditions will the United States consider when determining the extent of further U.S. troop drawdowns?

General DUNFORD. The pace of withdrawal over the next 25 months will depend on several variables, including progress of the campaign, the state of the insurgency, and the readiness of the ANSF to assume full security leadership and responsibility to the Afghan Government by the end of 2014. Decisions on the pace and magnitude of further troop reductions will be made by the President and in accordance with the ISAF mandate which ends on December 31, 2014. If confirmed, I will continue to monitor such elements of the situation and advise the chain of command of significant changes.

25. Senator INHOFE. General Dunford, who will decide the scope and pace of U.S. withdrawals?

General DUNFORD. Decisions on the pace and magnitude of further troop reductions will be made by the President of the United States in accordance with the ISAF mandate which ends on December 31, 2014. If confirmed, I will assess the situation and advise the chain of command accordingly.

26. General Dunford, will a continued, steady drawdown of U.S. troops increase the risk of successfully transitioning security to the ANSF by the 2014 deadline?

General DUNFORD. The drawdown should continue to be conducted in relationship to the growth of ANSF capability as well as the progress of the campaign, the state of the insurgency, and the readiness of the ANSF to assume full security responsibility to the Afghan Government by the end of 2014.

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QUESTIONS SUBMITTED BY SENATOR SAXBY CHAMBLISS

PAKISTAN'S INFLUENCE IN AFGHANISTAN

27. Senator CHAMBLISS. General Dunford, in your written statement you refer to Pakistan and its role in the flow of ammonium nitrate as a key ingredient of improvised explosive devices (IED). There are also current and former elements of the Pakistani security establishment that have covertly and overtly supported the insurgency in Afghanistan. If confirmed, how will you work with Pakistan to convince them to take action against the insurgency and specifically the Haqqani Network?

General DUNFORD. Pakistan has not taken the action we would like them to take against Afghan-focused extremist groups, including the Haqqani Network. I will continue to stress with Pakistan that all these groups share common goals and that the elimination of their safe havens is not only important to U.S. regional goals, but will also address a threat to Pakistan's sovereignty and people.

28. Senator CHAMBLISS. General Dunford, if confirmed, what will your focus be with regard to Pakistan as we approach 2014 and beyond?

General DUNFORD. The U.S.-Pakistan relationship is fundamental to our vital national security interests and will remain so beyond 2014. We will need to continue cooperating with Pakistan on defeating al Qaeda, supporting Pakistan stability, and reaching a lasting peace in Afghanistan. My focus will be to work with Pakistan to enhance security along the border and stability in both Afghanistan and Pakistan through our continued military relationship. This cooperation will include building upon the successes of the ISAF and Pakistan military (PAKMIL) countering IED bilateral meeting in September 2012, and the ANSF, PAKMIL and ISAF tri-partite countering IED discussions in November 2012. The objective of such military-to-military meetings is to pursue the networks which are supplying IED lethal aid into Afghanistan and sharing IED tactics, techniques, and procedures amongst insurgents, resulting in the death or injury of Afghan civilians, and members of the coalition and Afghan military forces.

29. Senator CHAMBLISS. General Dunford, do you believe that the efforts to include the Taliban in some long-term political solution is fueling an eventual civil war between the northern powerbrokers and the southern and eastern Pashtuns?

General DUNFORD. State Department is the lead for reconciliation efforts. ISAF will continue to train, advise, and assist the ANSF in their efforts to maintain a stable and secure Afghanistan.

NEGOTIATING WITH TERROR GROUPS

30. Senator CHAMBLISS. General Dunford, on December 1, 2009, President Obama said, "the Taliban has maintained common cause with al Qaeda, as they both seek an overthrow of the Afghan Government. Gradually, the Taliban has begun to control additional swaths of territory in Afghanistan . . . ." Similarly, the Haqqani Network is a terror group that's linked to the Taliban and al Qaeda, has been recently designated as a terrorist group by the Department of State. It is widely believed that the Taliban have no interest in a negotiated solution within Afghanistan, and will likely use talks as a means to secure their own foothold in post-2014 Afghanistan. To what extent do you agree with this assessment?

General DUNFORD. The Afghan conflict and the Afghan insurgency have been ongoing for many years. Most insurgencies end in some form of political settlement. Such settlement would require inclusive Afghan-Afghan discussions. Whether the Taliban as a group, or even specific factions or individual Taliban leaders, are interested in a sincere, negotiated compromise in Afghanistan remains to be determined, but should not be ruled out. Prospective talks with the group should gain outcomes consistent with the Secretary of State's guidance last year, including the Taliban cutting ties with al Qaeda, stopping violence, and supporting the Afghan Constitution, including its human rights protections.

31. Senator CHAMBLISS. General Dunford, if confirmed, do you plan to negotiate with the Taliban and what assurances would be required of the Taliban regarding the rights of women and minorities as part of any negotiations?

General DUNFORD. I defer to the State Department as the lead on reconciliation efforts.

32. Senator CHAMBLISS. General Dunford, do you plan to negotiate with the Haqqani Network, and if so, what assurances will you seek if such negotiations take place?

General DUNFORD. I defer to the State Department as the lead on reconciliation efforts.

NATO ALLIANCE

33. Senator CHAMBLISS. General Dunford, NATO has repeatedly shown itself as a stalwart alliance that will continue to be the premier alliance that faces and addresses the challenges of the 21st Century. However, with most of the burden falling on U.S. troops and U.S. funding, NATO must adjust to meet new demands and provide more funding and operational capabilities for the alliance's goals. What efforts would you take as the ISAF Commander to ensure that NATO's future and ongoing operations and growth are not placed solely on the shoulders of the United States?

General DUNFORD. Coalition cohesion has been a source of strength in our campaign, and I am dedicated to ensuring it remains so. NATO has affirmed that they are fully committed to the stability and security of Afghanistan. If confirmed, I will regularly engage NATO and coalition members to ensure that ISAF continues to have the capabilities needed to perform the essential core tasks to which we committed ourselves in support of the Government of the Islamic Republic of Afghanistan.

34. Senator CHAMBLISS. General Dunford, referencing NATO activities in Afghanistan, how do you judge the staying power of our NATO allies?

General DUNFORD. Our NATO partners have served with honor and distinction throughout this conflict. I judge our NATO allies to be committed to a successful transition as they have affirmed, along with the United States, in both the 2010 Lisbon Conference Declaration and the 2012 Chicago Summit Declaration.

35. Senator CHAMBLISS. General Dunford, to what extent are the allies influenced by the United States' statement that we will withdraw troops in 2014 or earlier?

General DUNFORD. I believe the pace at which we drawdown our troops to our post-2014 force posture is a consideration in our allies' decisionmaking process for their own force levels in Afghanistan.

AFGHAN SPECIAL OPERATIONS FORCES

36. Senator CHAMBLISS. General Dunford, in April, the United States and Afghanistan signed a memorandum of understanding on putting Afghan forces in the lead on direct-action counterterrorism missions in Afghanistan, which included night raids. Afghan security forces should be in the lead in the conduct of night raids, with U.S. forces in a support role. One of the new Afghanistan commands that is in development is the ANA Special Operations Command, which will help to sustain the move to the Afghan security lead. If confirmed, what steps do you plan to take to ensure that Afghan capacity to conduct security and special operations continues to grow?

General DUNFORD. A well-equipped and professionally led ANSF SOF will continue to be a critical component of ANSF as we reduce coalition forces. Growth in capacity and capability equates to progress in operational effectiveness. If confirmed, I will seek to sustain and expand their progress by supporting the development of key indigenous capabilities such as intelligence collection and analysis capacities, air mobility capabilities, and an independent logistical architecture, which are important for operational independence.

37. Senator CHAMBLISS. General Dunford, you have noted that as U.S. and NATO forces draw down in Afghanistan, SOF will continue to play a vital role by disrupting insurgent networks and building capable Afghan SOF as well as advising and training the ANSF. With the drawdown and a possibility of reduced budgets, what are your plans to ensure that these types of operations receive priority and mitigate the risks associated with a reduction of forces?

General DUNFORD. Capable, well equipped, and professionally led ANSF SOF mitigates the risk associated with a reduction of coalition forces. Growth in capacity and capability equates to progress in operational effectiveness. Autonomy and competency of Afghan special military and police units continues to improve—100 percent of ANA Special Operation Forces missions are Afghan led, and approximately 60 percent of Provincial Response Company police missions are Afghan led. If confirmed, I will seek to sustain and expand their progress by supporting the development of key indigenous capabilities such as intelligence collection and analysis capacities, air mobility capabilities, and an independent logistical architecture, which are important for operational independence.

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QUESTIONS SUBMITTED BY SENATOR ROGER F. WICKER

GREEN-ON-BLUE ATTACKS

38. Senator WICKER. General Dunford, since 2007, many U.S., international coalition, and Afghan personnel have been killed or wounded in attacks by ANSF personnel or ANSF impersonators. Although such attacks are not indicative of the quality and dedication of the overwhelming majority of ANSF personnel who serve alongside coalition forces with honor and distinction, they raise concerns about the sufficiency of the procedures used to screen, vet, and monitor ANSF personnel, as well as whether there is a need for additional training of coalition servicemembers on how to identify insider threats and on appropriate operational procedures while working with ANSF units. In March, in front of this same committee, I engaged your predecessor about the surge in Green-on-Blue attacks. What is your current assessment of the insider threat facing our troops in Afghanistan from rogue elements and individuals within the Afghan Security Forces?

General DUNFORD. If confirmed, I will continue to make countering this threat a top priority. We have made progress in this area but we can't afford to be complacent. It is critical that our continuing actions include constant monitoring and assessment of insider attacks and potential threats. I will do everything within my power to ensure ISAF is properly resourced to assess and counter this threat.

39. Senator WICKER. General Dunford, how many ISAF and American personnel have died as a result of Green-on-Blue attacks?

General DUNFORD. Since May 2007, when insider attack data began being tracked, 124 ISAF members have been killed in action. Of those, 75 were Americans.

40. Senator WICKER. General Dunford, how many such attacks are still currently under investigation?

General DUNFORD. Two.

PERSONNEL SCREENING

41. Senator WICKER. General Dunford, in fiscal year 2011, Congress provided $11.6 billion to the Afghan Security Forces Fund which funds the manning, training, equipping, operations, and sustainment of the Afghan Security Forces.

Building the capacity of the Afghan Security Forces is a key element of our Afghanistan policy. I believe a successful Afghan security infrastructure will rely in part on two critical pillars: (1) the trustworthiness and loyalty of personnel; and (2) their capacity to adequately execute their job functions.

I fear that if left unaddressed, the intake of rogue and incompetent personnel into the Afghan military and security services could have a catastrophic impact on Afghanistan's viability as a secure and stable state.

I believe we must do all we can to avoid a garbage-in/garbage-out situation with regard to our training programs in Afghanistan. How are we screening applicants for our training programs?

General DUNFORD. Recruits for the Afghan National Security Forces are subject to an eight-step vetting process, supported by information sharing and coalition oversight. My initial assessment is that the standard established by the eight-step vetting process is sound; the challenge is the quality of compliance with those standards and working through the high volume of personnel.

Recognizing this, the Ministry of Defense (MOD) has doubled the number of counterintelligence personnel in the ANA, in order to ensure that they have sufficient personnel with the appropriate training to ensure compliance with those standards at recruiting centers and training centers. The NDS is also focused on mitigating insider threats, and is working to improve screening during initial entry and monitoring behavior of personnel in units. MOD and Ministry of Interior (MOI) are also revetting select ANSF members and reinvestigating their backgrounds.

ISAF is also providing counterintelligence and other personnel to assist ANSF in improving capabilities for screening, and has increased the number of personnel this year. ANSF personnel selected for training in the States are rigorously screened prior to being issued a visa; ANSF personnel undergoing ISAF-provided training in Afghanistan also receive additional ISAF screening.

42. Senator WICKER. General Dunford, what tools do you utilize to ensure that prospective applicants are not members of the Taliban?

General DUNFORD. ISAF and the ANSF have introduced a program of countermeasures which include strengthening the vetting and screening processes for new recruits. The 8-step vetting process includes criminal records checks as well as biometric collection. If confirmed, I will continue to make countering this threat a top priority.

43. Senator WICKER. General Dunford, are applicants literate and willing to learn?

General DUNFORD. As focus has shifted from growth to force development, literacy training efforts have likewise begun shifting to increasing the number of ANSF personnel at the international standard for functional literacy. Literacy continues to be a challenge in professionalizing and training the Afghan forces. Convincing local commanders to provide troops with sufficient time to complete literacy training is a primary challenge. If confirmed, I will focus ISAF's efforts towards these challenges, building on the current signs of progress.

44. Senator WICKER. General Dunford, how capable are the current graduates of our training programs in Afghanistan?

General DUNFORD. Soldiers and policemen complete training with basic skills that prepare them to operate in the fielded force. My assessment of the ANSF is that they are an increasingly capable force which has expanded security gains in many areas. Although capability is not uniform across the ANSF, some units are now highly effective, and now over 80 percent of military operations are led by the ANSF.

45. Senator WICKER. General Dunford, are graduates of our training programs able to comprehend American military values of respect for civilian authority, rule of law, et cetera?

General DUNFORD. Graduates are able to comprehend values and ethics from the Afghan training programs. Embedded within the Programs of Instruction taught at the ANP Training Centers are curriculums covering governance, rule of law, ethics, codes of conduct, human rights, and cultural differences. All courses are based on international standards and reflect values that are integral for the ANP to do Rule of Law policing in Afghanistan. The ANA also promotes civil and military values as part of its training programs at all levels. Additionally, trainers reinforce adherence to the GIRoA Oath, similar to the Oath of Office our military members take upon entry in to service. Additionally, there are joint Afghan/Coalition Training Assessment Teams that go to the training centers and assess how the Afghan trainers are delivering training and its effectiveness. Our ISAF advisors and trainers, under the Security Force Assistance model, also ensure these values are integrated into their daily operations.

46. Senator WICKER. General Dunford, are these graduates able to effectively lead their own forces and pass along knowledge obtained from their American trainers?

General DUNFORD. The ANSF continues to improve and increase leadership development by focusing on increasing both the quality and capacity of officer and noncommissioned officer training programs, to include through established and further developing academies and courses. Currently, Afghans are delivering more than 85 percent of the instruction in all training sites. The number of ANSF units rated Independent with Advisors and Effective with Advisors has continuously increased. Nonetheless, leadership continues to be a challenge within the ANSF and the Security Force Assistance Teams will continue to advise Afghan leaders through the transition.

HAQQANI NETWORK

47. Senator WICKER. General Dunford, last September, then-Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, told the Senate Armed Services Committee that the Haqqani Network was a veritable arm of the Inter-Services Intelligence (ISI) agency. In September 2011, former U.S. Ambassador to Afghanistan, Ryan Crocker, officially blamed the Haqqani Network for a nearly day-long attack on the U.S. Embassy in Kabul. In the ISAF's Joint Command daily morning operational updates, there are frequent mentions of the Haqqani Network. This demonstrates the level of influence the Haqqani Network has on Afghanistan. How much influence does the Haqqani Network have in Afghanistan?

General DUNFORD. The Haqqani Taliban Network is most influential in Paktia, Paktika, and Khowst Provinces, its primary areas of operation. It remains the most virulent strain of the insurgency.

48. Senator WICKER. General Dunford, is the Pakistan military and the ISI making progress in dealing with the Haqqani Network, specifically in the area of North Waziristan?

General DUNFORD. Pakistan has committed significant amounts of blood and treasure to defeat violent extremist groups waging war against the Pakistan nation. With that said, Pakistan has not taken the action we would like them to take against Afghan-focused extremist groups, including the Haqqani Network. If confirmed I will stress to Pakistan that these groups share common beliefs and goals and that eliminating their safe havens and reducing their activities will address a threat to Pakistan's sovereignty and people.

AFGHAN LOCAL POLICE

49. Senator WICKER. General Dunford, ISAF Overwatch is an enduring operational and administrative affiliation between ISAF troops and VSO/ALP sites that have transitioned to ANSF primary partnering responsibility. ISAF Overwatch is designed to minimize risk, ensure consistent support, and enhance the success of Afghan Security Forces. This approach enables ISAF to reassign freed-up ISAF troops to generate additional ALP in other districts. What is your assessment of the ALP program?

General DUNFORD. The ALP program was established by a President Karzai decree in August 2010. It is a culturally acceptable and effective method of social mobilization. As a security line of effort controlled by the Afghan MOI, the program forms a resilient, relevant, accountable, and cost effective local defense force. The ALP program enjoys a high degree of popularity and support, and its growth expands the influence of the Afghan Government in key rural areas critical to denying

insurgents safe haven and influence, and establishes conditions for enduring relative stability.

50. Senator WICKER. General Dunford, will the size of the ALP be significant in capability and capacity to support the withdrawal of ISAF in 2014?

General DUNFORD. Once we reach the congressionally authorized force of 30,000 ALP, an evaluation of forces, capacity, capability and requirements will be necessary. If confirmed I will continue to work closely with the Afghan Ministry of Interior to assess this important program and ensure it supports the broader strategic goals in Afghanistan. We will remain vigilant throughout the withdrawal and recommend those solutions which offer the greatest opportunity for stability and security for the Afghan people.

51. Senator WICKER. General Dunford, when do you expect transition to ISAF Overwatch to begin in the south?

General DUNFORD. Tactical overwatch is a transitory event defined by an ALP site's maturity and self-sufficiency. If confirmed I will continue to assess each ALP district's capability to operate independently from their partnered unit, in concert with other ANSF and under GIRoA leadership. We envision transition in the South to commence by January 2013, if current trends of developmental progress continue. With the successful connection of formal and informal governance at the district level and ALP sustainment and support systems in place, GIRoA will assume full responsibility for the entirety of southern Afghanistan by December 2014.

DRONES

52. Senator WICKER. General Dunford, on November 1, 2012, Iranian warplanes shot at an American military surveillance drone flying over the Persian Gulf near Iran. The Predator drone was flying in international airspace and luckily was not hit. The shooting, which involved two Russian-made Su-25 jets, was the first known instance of Iranian warplanes firing on an American surveillance drone. Do you anticipate the Iranians to continue these acts of aggression on our drones?

General DUNFORD. I am generally aware of the circumstances surrounding this incident, but do not know at this time why Iran took the action it did or whether similar actions in the future are likely.

53. Senator WICKER. General Dunford, do you have any reason to believe that Iran would take aim at drones in Afghan airspace?

General DUNFORD. I am not aware of any pattern of Iranian violation of Afghan airspace. Therefore barring further significant deterioration in U.S.-Iranian relations, I would not expect Iran to engage U.S. drones in Afghan airspace.

54. Senator WICKER. General Dunford, what is your vision for the use of drones in the war: will they increase or decrease?

General DUNFORD. ISAF will continue to use unmanned aerial systems (UAS) to provide the flexibility needed to ensure ISAF and the ANSF can conduct effective operations. The frequency of UAS utilization will depend on mission requirements and operational needs as we move forward.

55. Senator WICKER. General Dunford, how effective are drone strikes in your area of responsibility?

General DUNFORD. ISAF continues to effectively use UAS to augment manned platforms, underpinning the flexibility needed to ensure ISAF and the ANSF can conduct effective operations. Drone strikes have caused insurgents to adjust their operating procedures and have degraded leadership effectiveness and command and control.

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[The nomination reference of Gen. Joseph F. Dunford, Jr., USMC, follows:]

NOMINATION REFERENCE AND REPORT

AS IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*November 13, 2012.*

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

The following named officer for appointment in the U.S. Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be General.*

Gen. Joseph F. Dunford, Jr., 3240

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[The biographical sketch of Gen. Joseph F. Dunford, Jr., USMC, which was transmitted to the committee at the time the nomination was referred, follows:]

RESUME OF CAREER SERVICE OF GEN JOSEPH F. DUNFORD, JR., USMC

*Date of Rank:* 23 Oct 10.

*Date of Birth:* 23 Dec 55.

*Date Commissioned:* 29 May 77.

*MRD:* 1 Jul 17.

*Education/Qualifications:*

Saint Michael's College, BA, 1977
Georgetown University, MA, 1985
Fletcher School of Law and Diplomacy, MA, 1992
The Basic School, Quantico, 1977
Amphibious Warfare School (Resident), 1985
Marine Corps Command and Staff College Non-Resident, 1992
USA War College, 1999
CAPSTONE, 2005
JFLCC, 2007
Pinnacle, 2009
Senior Executive EEO Seminar, 2010
Infantry Officer

*Commands:*

Commanding General, I Marine Expeditionary Force; and Commander, U.S. Marine Corps Forces Central Command (LtGen: Sep 09–0ct 10)
Assistant Division Commander, 1st Marine Division (BGen: Jul 04–Jun 05)
Commanding Officer, 5th Marines, 1st Marine Division (Col: May 01–May 03)
Commanding Officer, 2d Battalion, 6th Marines, 2d Marine Division (LtCol: Mar 96–Jul 98)

*Joint Assignments:*

Vice Director for Operations, J–3, Joint Staff (BGen: Jun 07–Aug 08)
Executive Assistant to the Vice Chairman of the Joint Chiefs of Staff; Chief, Global and Multilateral Affairs Division, J–5, Joint Staff (Col: Jun 99–May 01)

*Service Staff Assignments:*

Deputy Commandant for Plans, Policies, and Operations (LtGen: Aug 08–Aug 09)
Director, Operations Division (BGen: Aug 05–Jun 07)
Chief of Staff, 1st Marine Division (Col: May 03–Jul 04)
Executive Officer, 6th Marines, 2d Marine Division (LtCol: Jul 95–Mar 96)
Senior Aide-de-Camp to the Commandant of the Marine Corps (LtCol: Dec 92–Jul 95)
Marine Officer Instructor, College of the Holy Cross (Maj: Aug 89–Jun 91)

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[The Committee on Armed Services requires certain senior military officers nominated by the President to positions requiring the advice and consent of the Senate to complete a form that details the biographical, financial, and other information of the nominee.

The form executed by Gen. Joseph F. Dunford, Jr., USMC, in connection with his nomination follows:]

UNITED STATES SENATE

COMMITTEE ON ARMED SERVICES

Room SR–228

Washington, DC 20510–6050

(202) 224–3871

COMMITTEE ON ARMED SERVICES FORM

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

INSTRUCTIONS TO THE NOMINEE: Complete all requested information. If more space is needed use an additional sheet and cite the part of the form and the question number (i.e. A–9, B–4) to which the continuation of your answer applies.

PART A—BIOGRAPHICAL INFORMATION

INSTRUCTIONS TO THE NOMINEE: Biographical information furnished in this part of the form will be made available in committee offices for public inspection prior to the 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.)
Joseph F. Dunford, Jr.

2. **Position to which nominated:**
Commander, International Security Assistance Force.

3. **Date of nomination:**
November 13, 2012.

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 23, 1955; Boston, MA.

6. **Marital Status:** (Include maiden name of wife or husband's name.)
Married to Ellyn A. Dunford (Maiden Name: Ellyn A. Sartucci).

7. **Names and ages of children:**
Joseph F. Dunford III, age: 24; Patrick T. Dunford, age: 22; Kathleen A. Dunford, age: 21.

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, Marine Corps Association.

11. **Honors and awards:** List all scholarships, fellowships, honorary society memberships, and any other special recognitions for outstanding service or achievements other than those listed on the service record extract provided to the committee by the executive branch.
Awarded Colonel Donald Cook Award for Citizenship, from St. Michael's College, VT.

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.

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[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.]

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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.

GEN. JOHN F. DUNFORD, JR., USMC.

This 27th day of August, 2012.

[The nomination of Gen. John F. Dunford, Jr., USMC was reported to the Senate by Chairman Levin on November 23, 2012, with the recommendation that the nomination be confirmed. The nomination was confirmed by the Senate on December 3, 2012.]

# APPENDIX

## COMMITTEE ON ARMED SERVICES QUESTIONNAIRE ON BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF CIVILIAN NOMINEES

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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_____.

○