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# MARTIN R. HOFFMANN

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## HEARING

BEFORE THE

### PRO FORMA SUBCOMMITTEE

OF THE

## COMMITTEE ON ARMED SERVICES

## UNITED STATES SENATE

### NINETY-FOURTH CONGRESS

#### FIRST SESSION


ON

NOMINATION OF MARTIN R. HOFFMANN, OF VIRGINIA, TO BE  
SECRETARY OF THE ARMY, VICE HOWARD H. CALLAWAY,  
RESIGNED

JULY 30, 1975

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(II)

## NOMINATION OF MARTIN R. HOFFMANN

WEDNESDAY, JULY 30, 1975

U.S. SENATE,  
PRO FORMA SUBCOMMITTEE  
OF THE COMMITTEE ON ARMED SERVICES,  
*Washington, D.C.*

The subcommittee met, pursuant to recess, at 9:45 a.m., in room 212, Richard B. Russell Senate Office Building, Hon. Thomas J. McIntyre (chairman).

Present: Senators McIntyre (presiding), and Thurmond.

Also present: T. Edward Braswell, Jr., chief counsel and staff director; Phyllis Bacon, assistant chief clerk; Francis J. Sullivan, Nancy Bearg, and Charles Conneely, professional staff members; Roberta Ujakovich, research assistant; and Mary G. Ketner, clerical assistant.

Senator McINTYRE. The committee will come to order.

Because several Armed Services Subcommittees are scheduled to meet today, we have some difficulty in assembling the full committee, and Senator Stennis asked if I would chair a pro forma subcommittee to consider the nomination of Mr. Hoffmann to be Secretary of the Army.

We therefore will hold this brief meeting this morning to consider the nomination of Mr. Martin R. Hoffmann to be Secretary of the Army.

Mr. Hoffmann is presently the General Counsel of the Department of Defense and appeared before the full committee on March 7, 1974, in connection with his confirmation for his present post.

As a matter of background, Mr. Hoffmann served on active duty with the Army from 1954 to 1958, and subsequently returned to the University of Virginia Law School where he graduated in 1961. He also served during the 1960's as a legislative assistant to Senator Charles H. Percy, of Illinois, who has submitted the attached statement to be inserted at this point in the record on behalf of Mr. Hoffmann. Also attached is a copy of Mr. Hoffmann's biographical sketch.

[The material follows:]

STATEMENT OF SENATOR CHARLES H. PERCY FOR THE RECORD OF THE SENATE ARMED SERVICES COMMITTEE HEARING ON THE NOMINATION OF MARTIN HOFFMANN TO BE SECRETARY OF THE ARMY, JULY 30, 1975

Mr. Chairman, I would like to state for the record my own enthusiastic support for the nomination of Martin Hoffmann to the post of Secretary of the Army.

When I came to Washington in January 1967, Marty Hoffmann became Legal Counsel in my office on the recommendation of then Congressman Don Rumsfeld, among others. His devotion to our national security was evidenced on many occasions during his two years with me. He was proud of his Army service and

followed military developments very closely. He was an active Reserve Officer and kept up his full responsibilities in this regard.

Later, after working for Sam Wylie, President of University Computing Services, in Dallas, he returned to Washington to be General Counsel of the Atomic Energy Commission under James Schlesinger. Mr. Schlesinger showed his great respect for Marty Hoffmann's performance at the AEC by choosing him to be his special assistant at the Department of Defense.

The role of the wife of the Secretary of the Army is frequently an important one. "Muggie" Hoffmann is an exceptionally able woman in her own right and would carry out such duties with great distinction.

I have every reason to believe that Marty Hoffman will prove to be an able and dedicated Secretary of the Army if he is confirmed for this post. He has my full support.

#### NOMINATION REFERENCE AND REPORT

IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
July 22, 1975.

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

Martin R. Hoffmann, of Virginia, to be Secretary of the Army, vice Howard H. Callaway, resigned.

July 30, 1975.

Reported by Mr. McIntyre with the recommendation that the nomination be *confirmed*, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### BIOGRAPHY OF MARTIN R. HOFFMANN

Born April 20, 1932, at Stockbridge, MA, Mr. Hoffmann was graduated from Princeton University, Princeton, NJ, in 1954 with an A.B. degree, and from the University of Virginia Law School, Charlottesville, VA, in 1961 with an L.L.B. degree. He was admitted to the District of Columbia Bar in August, 1961.

Prior to receiving his law degree, Mr. Hoffmann served with the U.S. Army's 101st Airborne Division at Fort Campbell, KY, from 1954 to 1958, and as Technical Editorial Engineer with the Martin Company at Denver, CO, in 1959.

Before joining the Department of Defense staff, Mr. Hoffman served from September, 1971, to May, 1973, as General Counsel of the Atomic Energy Commission, and February, 1969, to September, 1971, as Assistant General Counsel and Assistant Secretary of the University Computing Company, Dallas, TX.

Mr. Hoffmann was law clerk for Judge Albert V. Bryan, U.S. Court of Appeals for the Fourth Circuit, Alexandria, VA, from September, 1961, to August 1962, and served as Assistant United States Attorney, Washington, DC, from October, 1962, to April, 1965. He then became Minority Counsel for the House Judiciary Committee, from April, 1965, to December, 1966, and served as Legal Counsel to United States Senator Charles H. Percy of Illinois from January, 1967, to January, 1969.

Mr. Hoffmann served as The Special Assistant to the Secretary of Defense and the Deputy Secretary of Defense from July 2, 1973, until he became General Counsel of the Department of Defense. Martin R. Hoffmann was nominated by President Nixon to be General Counsel of the Department of Defense on February 21, 1974, was confirmed by the United States Senate on March 8, 1974, and assumed duties of the position on March 14, 1974.

Mr. Hoffmann and his wife, the former Margaret Ann McCabe, reside in McLean, VA. They have three children—Cecil Elizabeth, William Gilbert and Bernard Arnold.

Senator McINTYRE. We are glad to have you with us, Mr. Hoffmann, and you may make any brief statement you wish at this time.

STATEMENT OF MARTIN R. HOFFMANN, GENERAL COUNSEL,  
DEPARTMENT OF DEFENSE

Mr. HOFFMANN. I do not have any prepared statement at this point, Mr. Chairman.

I am very honored to be sitting here this morning as the President's nominee for the post of Secretary of the Army. The Army, as I am sure the chairman knows, is one of the oldest and most vital institutions of the Federal Government; its people are its proud tradition. I am particularly honored to be the nominee for this post. I appreciate the efforts of the committee in moving on the nomination and I am very pleased that you are here this morning to chair this proceeding.

Thank you sir.

Senator McINTYRE. Mr. Hoffmann, the Senate Democratic Caucus has adopted a policy with respect to every nomination that requires that every nominee be asked, "Do we have your commitment to respond to requests to appear and testify before any duly constituted committee of the Senate?" Would you respond to this matter for the record please?

Mr. HOFFMANN. You have my commitment, sir.

Senator McINTYRE. I have a letter addressed to our chairman, the Honorable John C. Stennis from the distinguished Senator from Indiana, Senator Bayh. We will insert this statement in support of your nomination in the record at this point.

[The material follows:]

STATEMENT OF SENATOR BIRCH BAYH BEFORE THE SENATE ARMED SERVICES COMMITTEE ON THE CONFIRMATION OF MARTIN R. HOFFMAN TO BE SECRETARY OF THE ARMY

Mr. Chairman, I appreciate this opportunity to say a few brief words concerning the nomination of Marty Hoffmann to be Secretary of the Army. As the record before the Subcommittee clearly indicates, Mr. Hoffmann is a distinguished lawyer, a graduate of Princeton University and the University of Virginia Law School. He has served as a member of the Armed Forces and in a number of other posts which have given him, I believe, a comprehensive and well-balanced background to assume this important responsibility. I have had the pleasure of working with Mr. Hoffmann on a number of projects of mutual interest in his current position as General Counsel of the Department of Defense. I have found Mr. Hoffmann to be an extremely intelligent, perceptive and thoughtful individual whose views on many matters involving the military are similar to my own. Mr. Hoffmann has demonstrated an exceptional measure of independence, judgment and integrity. I am very pleased that he has been nominated for this high office and I wholeheartedly commend his nomination to the Committee and the Senate.

Senator McINTYRE. It is my understanding that all matters of conflict of interest have been taken care of, Mr. Braswell.

Mr. BRASWELL. Mr. Hoffmann fully complied with the committee rule.

Senator McINTYRE. As I am sure you realize, the nomination undoubtedly will be approved. You and I discussed the other day in my office, that fact that you would be taking over a very important

post, a post I think you will find challenging but, at times, frustrating. Your immediate predecessor, Mr. Callaway, was a very aggressive leader-type Secretary, which we have not had in a long time. I certainly hope you will try to continue in the days to come with the same verve, desire, and belief in the Army that he had and I am sure you have.

And I speak for the chairman in wishing you every success in this important position. I am going to authorize Mr. Braswell, unless there is some objection, to call the other members of the committee as soon as possible so that this nomination can proceed.

Without objection then, these nominations for consideration by the Senate Committee on Armed Services dated July 30, 1975, will be approved. Good morning, Senator Thurmond.

Senator THURMOND. Good morning.

Senator MCINTYRE. This amounts to pretty much a pro forma session here, Senator, because as you know, Mr. Hoffmann was before us just a short time ago in 1974. He has been approved for his position as General Counsel in the Department of Defense. He has gone through the regular question procedure, with reference to conflict of interest. If you would like to inquire now, I would be happy to yield to you?

Senator THURMOND. Thank you, Mr. Chairman.

Mr. Hoffmann, I want to congratulate you on being nominated by the President to be Secretary of the Army. This is a major responsibility that you have been asked to assume and I trust you are prepared to do a lot of hard work.

Mr. HOFFMANN. I am indeed, sir.

Senator THURMOND. In fact, you have already been doing a lot of hard work. There are many, unfortunately, who would decrease the size and strength of our Army. I want to suggest, you be on your guard against that. The only way to keep this country free is to keep it strong. We want to have your continued assessment of how the voluntary system is working and whether the quality of the troops and those attained remains high. We want you to be perfectly frank with us and we have responsibility to the Secretary of Defense and the administration.

But your greatest responsibility, of course, is to the people of this Nation and if this system does not work and does not produce a quality of people that the Army needs—we want you to tell us so. I am sure you will have the courage to tell the President so, too. The Congress has indicated its general support of the 16-division concept but attaining that goal might not be as easy as it sounds. You will have to fight hard for the equipment required to outfit that force. Just having the numbers will not be sufficient without the equipment and weapons because then, it is a paper Army rather than a real Army.

I am glad to see the Reserve Forces is included in the 16 divisions and I hope they become a meaningful addition to the Army, not just a token force that has no real capability. I am very interested in the Reserves. There is no use to keep a Reserve at all unless we keep them well trained, well equipped, combat worthy; it is a waste of money. I think it is a vital force that can be maintained at much less expense than the Regulars—I believe a fifth or a sixth as much.

And believing in the total concept, I sincerely hope they will be used in the overall plan in a very important place. I just wonder if you plan—or maybe you have not thought about it yet—to undertake any major change in the Army in the near future. Have you received any guidance in this regard?

Mr. HOFFMANN. Senator, I have not received any guidance and I have no immediate plans as of this time to institute any large changes. Secretary Callaway's role was mentioned earlier. I have known Secretary Callaway for a number of years. I share the chairman's admiration for his performance as Secretary of the Army. I think it is important that we move toward the goals already set of combat readiness in the 16-division force and that we move to institutionalize to our very best ability, the all-volunteer force. I think the course that has been charted today is in general the right course and I, at this point, have arrived at no conclusions with respect to major changes.

Senator THURMOND. Maybe you have not thought about this yet either, but what do you visualize as possibly being the most meaningful contribution you could make to the Army as its Secretary?

Mr. HOFFMANN. I would think advancing the Army toward the goal of readiness and making it a responsive, reflexive instrument of national policy is probably the best contribution any Secretary can make. Under that heading are subsumed a large number of individual tasks toward that objective. But an overall objective, I believe, is where the main contribution of the Secretary lies, in the present day.

Senator THURMOND. The Army has a lot of friends here in the Congress and we just want you to know that we are vitally interested in the Army and whatever we can do to cooperate and help you, we want you to feel free to call upon us.

Mr. HOFFMANN. Thank you very much.

Senator THURMOND. Thank you very much.

I congratulate you again, I wish you well in your important responsibility.

Mr. HOFFMANN. Thank you.

Senator McINTYRE. Thank you, Senator Thurmond.

There are no other questions. We all wish you the very best in what will be a difficult assignment. I echo the thoughts expressed by Senator Thurmond, that if at any time we on the Armed Services Committee can be of assistance to you in carrying out your job, do not hesitate one moment to call upon us.

With every good wish we will recess this meeting.

Mr. HOFFMANN. Thank you, Senator.

[Whereupon, at 10 a.m., the subcommittee recessed to proceed to other business.]



